

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ELIJAH BURKE SWALLOW §  
VS. § CIVIL ACTION NO. 1:18cv133  
JEFFERSON CO. CORR. FACILITY, ET AL. §

ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Elijah Burkle Swallow, proceeding *pro se*, filed the above-styled lawsuit against several defendants. The Court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable orders of this court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending a motion for default judgment (doc. no. 7) filed by plaintiff be denied.

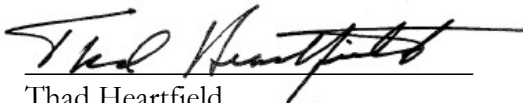
The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record. Plaintiff filed timely objections.

The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the Court is of the opinion the objections are without merit. The Magistrate Judge correctly concluded plaintiff is not entitled to a default judgment at this time.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. The motion for default judgment is **DENIED**.

**SIGNED** this the 5 day of **March, 2019**.

  
Thad Heartfield  
United States District Judge