

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

DEION DEE LOCKHART, JR.

§

VS.

§

CIVIL ACTION NO. 1:20-CV-385

UNKNOWN WARDEN, ET AL.

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Deion Dee Lockhart, Jr., a federal prisoner previously confined at the United States Penitentiary, proceeding *pro se*, filed this civil rights action against an unidentified warden and an unidentified correctional officer.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the action without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Proper notice was given to the plaintiff at his last known address. *See* FED. R. CIV. P. 5(b)(2)(c). Plaintiff acknowledged receipt of the Report and Recommendation on July 19, 2021. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (document no. 18) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this 7th day of September, 2021.



Michael J. Truncala
United States District Judge