

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

MARSHALL DIVISION

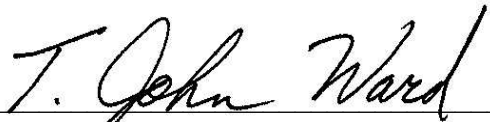
BRETT ALLEN CARGILE, #1613392           §  
VS.   §                   CIVIL ACTION NO.2:10cv307  
RICHARD ROSS, ET AL.                   §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Charles Everingham IV. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the complaint is **DISMISSED** without prejudice. Any and all motions which may be pending in this civil action are hereby **DENIED**.

SIGNED this 24th day of January, 2011.

  
\_\_\_\_\_  
T. JOHN WARD  
UNITED STATES DISTRICT JUDGE