

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JONATHAN MORGAN, et al.,

Plaintiffs,

v.

THE PLANO INDEPENDENT
SCHOOL DISTRICT, et al.,

Defendants.

§
§
§
§
§
§
§
§
§

Case No. 4:04cv447

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

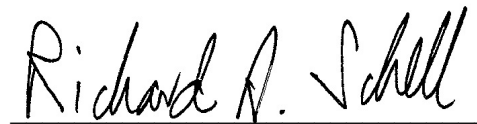
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On September 23, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiffs’ Motion for Partial Summary Judgment (Dkt. 27) should be DENIED and PISD’s Cross-Motion for Summary Judgment (Dkt. 53) related to the facial constitutionality of the 2004 PISD Policy should be GRANTED.

The court, having made a *de novo* review of the objections raised by Plaintiffs and Defendant’s response, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 27) is DENIED, and PISD's Cross-Motion for Summary Judgment (Dkt. 53) related to the facial constitutionality of the 2004 PISD Policy is GRANTED.

IT IS SO ORDERED.

SIGNED this the 28th day of March, 2011.

Handwritten signature of Richard A. Schell in black ink, written in a cursive style.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE