

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

SHERMAN DIVISION

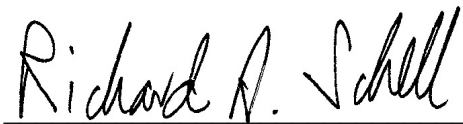
DWAYNE CONGER, #208630	§	
VS.	§	CIVIL ACTION NO. 4:10cv487
THE STATE OF TEXAS, ET AL.	§	

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Don D. Bush. 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. Furthermore, the mail addressed to the Plaintiff was returned to the Clerk marked "not in custody," yet Plaintiff has not provided a forwarding address. This is consistent with his failure to prosecute and failure to obey an order 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 the 30th day of August, 2013.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE