

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


JOHNNY AL HUNTER, #609870                   §  
VS.   §                   CIVIL ACTION NO. 4:11cv828  
HON. VERLA SUE HOLLAND, 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 and Recommendation (docket entry #9) and Supplemental Report and Recommendation (docket entry #11) of the Magistrate Judge, which contain proposed findings of fact and recommendations for the disposition of such action, have 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 WITH PREJUDICE** as frivolous and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1); pursuant to the three strikes provision of 28 U.S.C. § 1915(g); and for the additional reason of Plaintiff's failure to prosecute and failure to obey an order. The Three Strikes Coordinator for the Eastern District of Texas shall enter this strike on the Sanctions List for this District. Any and all motions which may be pending in this civil action are hereby **DENIED**.

**SIGNED this the 10th day of September, 2013.**

  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE