

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

LEE DOUGLAS SMITH, JR., #01725728	§	
VS.	§	CIVIL ACTION NO. 4:12cv150
THE STATE OF TEXAS	§	

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Don D. Bush. The Report and Recommendation 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 petition for a writ of habeas corpus is **DISMISSED** without prejudice.

All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this the 11th day of September, 2013.

Richard A. Schell

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE