

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

ANDREW TOLIVER, #01715875

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:17cv175

ORDER OF DISMISSAL

This case was referred to United States Magistrate Judge Christine A. Nowak. 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. Petitioner filed objections.

After reviewing the Report and Recommendation and conducting a *de novo* review of Petitioner's objections, the Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court. In his objections, Petitioner simply reurges the issues raised in his petition, but fails to show the Fifth Circuit has given him permission to file a successive petition. It is therefore

ORDERED the petition for writ of habeas corpus is **DISMISSED** without prejudice as successive. It is further

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

SIGNED this 19th day of July, 2017.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE