

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

**KURBY DECKER, #594703**

§

**VS.**

§

**CIVIL ACTION NO. 5:09cv27**

**ROGER MCDONALD, ET AL.**

§

**ORDER DENYING DEFAULT JUDGMENT**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation concluding that the Plaintiff's motions for a default judgment should be denied. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Plaintiff are without merit. Therefore the findings and conclusions of the Magistrate Judge are adopted as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the Plaintiff's motions for a default judgment (docket entry numbers 10 and 13) are **DENIED**. It is further

**ORDERED** that the Plaintiff's objections (docket entry #23) to the order to obtain a response from the Texas Attorney General regarding the first motion for default judgment are **OVERRULED**.

**SIGNED this 24th day of August, 2009.**



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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE