

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

BRANDON SAMPLE,

*Petitioner,*

v.

WARDEN KEITH ROY,

*Respondent.*

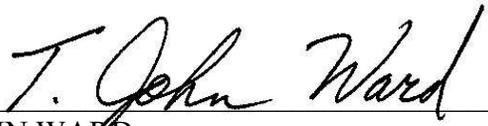
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CV 5:09-CV-37-TJW-KFG

**ORDER**

The above-titled and numbered civil action was heretofore referred to United States Magistrate Judge Keith F. Giblin pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 4), which contains his recommendation for the disposition of the Petitioner’s Motion (Dkt. No. 3) has been presented for consideration. No objections were filed to the Report and Recommendation. The Court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the report of the United States Magistrate Judge as the conclusions of this Court. Accordingly, the Court GRANTS Petitioner’s Motion to Dismiss (Dkt. No. 3).

SIGNED this 27th day of October, 2009.



T. JOHN WARD  
UNITED STATES DISTRICT JUDGE