

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

WILLIE JEFFERSON §
v. § CIVIL ACTION NO. 5:13cv18
D. ENDSLEY, ET AL. §

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
ON PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT

The Plaintiff Willie Jefferson, proceeding *pro se*, filed this lawsuit complaining of alleged violations of his rights. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

The Defendants filed a motion for summary judgment which has since been withdrawn. Jefferson filed a response to this motion which included a cross-motion for summary judgment. After review of Jefferson's pleadings, the Magistrate Judge issued a Report recommending that Jefferson's cross-motion for summary judgment be denied and that the Defendants' motion to strike Jefferson's cross-motion be denied as moot. Neither party filed objections to the Report; accordingly, the parties are barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 65) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the Plaintiff's cross-motion for summary judgment (docket no. 46) is hereby **DENIED**. It is further

ORDERED that the Defendants' motion to strike the Plaintiff's cross-motion for summary judgment (docket no. 53) is **DENIED** as moot.

It is SO ORDERED.

SIGNED this 4th day of September, 2014.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a large initial "M".

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE