

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

BRANDON GULLATTE, #1600240 §
VS. § **CIVIL ACTION NO. 5:14cv23**
DAWN E. MERCHANT, ET AL. §

ORDER OF DISMISSAL

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 lawsuit should be dismissed. The Report 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 accordingly

ORDERED that the Report and Recommendation (docket #12) is **ADOPTED**. It is further

ORDERED that the complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) and that the complaint is **DISMISSED** without prejudice to the Plaintiff refiling the claims at such time as he can demonstrate that he has been able to have the prison disciplinary case reversed, expunged or otherwise declared invalid. All motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 16th day of April, 2014.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE