

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

SCOTT E. SHINE and JOSEPH HICKS	§	
	§	
v.	§	CIVIL ACTION NO. 5:17CV51- RWS-CMC
	§	
RICKY JONES FRANKLIN COUNTY	§	
SHERIFF In his Capacity as Sheriff and	§	
Individually and HEATH HYDE	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
AND CLOSING CASE**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. On April 5, 2018, the Magistrate Judge issued a Report and Recommendation (Docket No. 61), recommending Defendant Heath Hyde's Motion to Dismiss be granted. Specifically, the Magistrate Judge recommended Plaintiff Hicks's claims against Defendant Heath Hyde be dismissed with prejudice; Plaintiff Shine's § 1983 claims against Defendant Heath Hyde be dismissed with prejudice; and Plaintiff Shine's state law breach of contract claim against Defendant Heath Hyde be dismissed without prejudice. *Id.* at 22.

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. No objections to the Report and Recommendation were filed. Thus, any aggrieved party is barred from *de novo* review by the district court of the proposed findings and recommendations of the Magistrate Judge.

There being no grounds of plain error or manifest injustice, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Plaintiff's claims should be dismissed. Accordingly, it is hereby

ORDERED that Defendant Heath Hyde's Motion to Dismiss (Docket No. 32) is hereby **GRANTED**. It is further

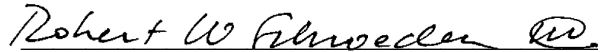
ORDERED that Plaintiff Hicks's claims against Defendant Heath Hyde are **dismissed with prejudice**. Plaintiff Shine's § 1983 claims against Defendant Heath Hyde are **dismissed with prejudice**, and Plaintiff Shine's state law breach of contract claim against Defendant Heath Hyde are **dismissed without prejudice**.

All relief not previously granted is hereby **DENIED**.

The Clerk of the Court is directed to **CLOSE** the case.

It is SO ORDERED.

SIGNED this 1st day of May, 2018.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE