

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

TYLER DIVISION

PIERRO JACKSON, #1152599

§

VS.

§

CIVIL ACTION NO. 6:09cv305

DOUG DRETKE, ET AL.

§

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Second 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 therefore

ORDERED that the complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1). The complaint is **DISMISSED** without prejudice to the Plaintiff refiling the claim 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 by either party not previously ruled on are hereby **DENIED**.

SIGNED this 29th day of December, 2009.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE