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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

DAVID WALTER GRAY	§	
v.	§	CIVIL ACTION NO. 6:09cv406
OFFICER FEATHERSTON, ET AL.	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

The undersigned Magistrate Judge previously entered a Report recommending that the Defendant Officer Featherston be dismissed from the lawsuit. Neither party filed objections to this Report. The parties subsequently consented to allow the undersigned Magistrate Judge to enter final judgment in the proceeding pursuant to 28 U.S.C. §636(c). The Court has reviewed the previously entered Report and has determined that this Report is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge issued on May 17, 2010, is ADOPTED as the opinion of the Court. It is further

ORDERED that the Plaintiff's claims against the Defendant Officer Featherston are hereby DISMISSED with prejudice and that Officer Featherston is hereby DISMISSED as a party to this lawsuit. This dismissal shall not count as a strike for purposes of 28 U.S.C. §1915(g), nor shall it affect the remaining claims and parties in this case.

So ORDERED and SIGNED this 3rd day of August, 2010.

JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE

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