



stopped by Judge Bentley was purely speculative. Thus, the Magistrate Judge recommended that the lawsuit be dismissed.

Harris filed objections to the Magistrate Judge's Report on February 16, 2010. In his objections, Harris says that the stoppage of the correspondence without a court order is a violation of his constitutional rights because "there is no legal statute that states a person can stop your mail because they want to." He also says that his claims are not speculative because he has the evidence which states that he, Judge Bentley, was "the one that did it," and that he has "a right to correspondence from family, friends, as well as others."

As the Magistrate Judge said, there is no absolute right for prisoners to correspond with other prisoners. *See, e.g., Cardona v. Menifee*, 258 Fed.Appx. 642, 2007 WL 4371736 (5th Cir., December 11, 2007) (no general First Amendment right to communicate with prisoners in other prison units), *citing Turner v. Safley*, 482 U.S. 78, 91 (1987). Thus, the fact that Harris' letter to Burris was stopped, at a time when both of them were in jail, does not by itself set out a constitutional claim, and Harris' contention to the contrary is without merit.

Although Harris says that "he has the evidence" showing that Judge Bentley was "the one who did it," he fails to state what this evidence is, nor does he show that his claim is anything other than speculation. Even assuming that Harris does have such evidence, however, and could prove that Judge Bentley had stopped his mail, he nonetheless has not shown a constitutional violation. His objections to the Report of the Magistrate Judge are without merit.


The Court has conducted a careful *de novo* review of the pleadings in this cause, the Report of the Magistrate Judge, and the Plaintiff's objections thereto. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate Judge is correct and that the Plaintiff's objections are without merit. It is accordingly

ORDERED that the Plaintiff's objections are overruled and that the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled civil action be and hereby is DISMISSED with prejudice as frivolous and for failure to state a claim upon which relief may be granted. 28 U.S.C. §1915A. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby DENIED.

**SIGNED this 17th day of March, 2010.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE