

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

TYLER DIVISION

LEE DOUGLAS SMITH, #1725728                   §  
VS.   §                   CIVIL ACTION NO. 6:12cv963  
LUIS AMENER, JR., ET AL.                   §

ORDER OF DISMISSAL

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

**ORDERED** that the Report and Recommendation (docket entry #9) is **ADOPTED**. It is further

**ORDERED** that the complaint is **DISMISSED** without prejudice. Fed. R. Civ. P. 41(b). All motions not previously ruled on are **DENIED**.

**It is SO ORDERED.**

**SIGNED this 19th day of March, 2013.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE