

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

FREDDIE FOUNTAIN	§	
v.	§	CIVIL ACTION NO. 6:13cv958
RICK THALER, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
AND ENTERING FINAL JUDGMENT

The Plaintiff Freddie Fountain, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Fountain has filed a motion asking that his lawsuit be dismissed. The Magistrate Judge issued a Report recommending that this motion be granted. No objections have been received. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 289) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motion to dismiss (docket no. 288) is **GRANTED** and the above-styled civil action is **DISMISSED WITHOUT PREJUDICE**. Finally, it is

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

So Ordered and Signed

Feb 2, 2017



Ron Clark, United States District Judge