

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

TYLER DIVISION

RICHARD PAYNE, #620984 §
VS. § CIVIL ACTION NO. 6:14cv519
WILLIAM STEPHEN, ET AL. §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore directly assigned to United States Magistrate Judge K. Nicole Mitchell. 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 complaint is **DISMISSED** with prejudice for purposes of *in forma pauperis* proceedings pursuant to 28 U.S.C. § 1915(g). It is further

ORDERED that Payne's motion to proceed *in forma pauperis* (Docket Entry #3) is **DENIED**. Payne may resume the lawsuit if he pays the entire filing fee of \$400 within thirty days from the entry of this Order of Dismissal and Final Judgment. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

So ORDERED and SIGNED this 7th day of July, 2014.



LEONARD DAVIS
UNITED STATES DISTRICT JUDGE