

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

**WILLIAM GEORGE G. HUDNALL et  
al.**

**v.**

**JIM PAYNE et al.**

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**CIVIL ACTION NO. 6:15cv898**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of the complaint has been presented for consideration. The Report and Recommendation (Docket No. 47), filed on August 26, 2016, recommends that Plaintiff's Motion for Voluntary Dismissal (Docket No. 46) be granted and that the complaint be dismissed without prejudice. The Magistrate Judge based her recommendation on the Plaintiff's agreement that this Court lacks federal question jurisdiction over this cause of action and only a single defendant, out of fourteen total, filing an Answer to the Complaint. Docket No. 47 at 1. No written objections have been filed. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court. In light of the foregoing, it is

**ORDERED** that Plaintiff's Motion for Voluntary Dismissal (Docket No. 46) is **GRANTED** and the complaint is **DISMISSED** without prejudice. Any motion not previously ruled on is **DENIED**.

**So ORDERED and SIGNED this 27th day of September, 2016.**

*Robert W. Schroeder III*  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE