

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

AMANDA ALLEN,

Plaintiff,

v.

**DR. JOE DONALD HEATH, in his
individual and official capacities,
HANNAH HEARN, and
NWPROPERTY MANAGEMENT, LLC
d/b/a NWP MANAGEMENT,**

Defendants.

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**CIVIL ACTION NO. 6:16-cv-51
MHS-JDL**

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

On May 20, 2016, United States Magistrate Judge John D. Love issued a Report and Recommendation, recommending that the undersigned GRANT Plaintiff Amanda Allen’s (“Plaintiff” or “Ms. Allen”) Motion for Leave to file an amended complaint (Doc. No. 48). (Doc. No. 53.) Also within the same Report and Recommendation, the Magistrate Judge recommended that the undersigned GRANT Defendant Dr. Joe Donald Heath’s (“Defendant” or “Dr. Heath”) Partial Motion to Dismiss (Doc. No. 5). (Doc. No. 53.) Specifically, the Magistrate Judge recommended that Plaintiff be allowed to amend her complaint to add factual support for her requested injunctive relief, and to remove the requested monetary damages for Plaintiff’s § 1983 claims against Dr. Heath in his official capacity. (Doc. No. 53.) No objections to the Report and Recommendation were filed during the prescribed objection period.

The Court, having reviewed the Magistrate Judge’s findings and conclusions, is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and

conclusions of the Court. It is accordingly **ORDERED** that Plaintiff's Motion (Doc. No. 48) and Defendant's Motion (Doc. No. 5) are **GRANTED**. Plaintiff shall file an amended complaint in this action within **14 days** from the issuance of this Order.

SIGNED this 10th day of June, 2016.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE