

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

**JOHN ALFRED REGALADO**

**Plaintiff,**

**v.**

**MIKE NELSON, SR. ET AL.**

**Defendants.**

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**CIVIL ACTION NO. 6:16-CV-264**

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

Before the Court is Plaintiff John Alfred Regalado's ("Plaintiff") Complaint filed on March 30, 2016. (Docket No. 2). On September 1, 2016, Magistrate Judge John D. Love issued an Order for Plaintiff to file an Amended Complaint within thirty (30) days from receipt of the Order. (Docket No. 8). On September 26, 2016, the Magistrate Judge's Order was returned to sender as undeliverable. (Docket No. 10). On October 19, 2016, the Magistrate Judge issued a Report and Recommendation that the above-captioned matter be dismissed for Plaintiff's failure (1) to follow the local rules and prosecute his case and (2) to plead facts plausibly invoking the Court's jurisdiction. (Docket No. 11). To date, the Court has not received an acknowledgment of receipt from Plaintiff with respect to the Report and Recommendation. The Magistrate Judge's original Order was returned to sender, and over 30 days have passed since the Magistrate Judge issued his Report and Recommendation. Further, the Court agrees that Plaintiff has failed to plead any facts plausibly invoking grounds for the Court's jurisdiction and notes the the Magistrate Judge's findings regarding Plaintiff's history of failing to update his mailing address in other matters. Accordingly, the Court finds that it is appropriate to **ADOPT** the Magistrate Judge's Report and Recommendation.

For the reasons stated above and in the Report and Recommendation, all of Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

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

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE