



motion for summary judgment, and the evidence attached to the motion, Glenn did not file a response to the Defendants' motion for summary judgment.

After reviewing the pleadings and evidence, the Magistrate Judge issued a Report on July 12, 2019 recommending that the motion for summary judgment be granted and the claims against those Defendants dismissed with prejudice. The Magistrate Judge also recommended that the claims against the unknown shift supervisor be dismissed with prejudice for purposes of proceeding *in forma pauperis* and that the Plaintiff's supplemental state law claims be dismissed without prejudice with the statute of limitations suspended for 30 days.

A copy of this Report was sent to Glenn at his last known address, return receipt requested, but no objections have been received; accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly

**ORDERED** that the Report of the Magistrate Judge (docket no. 124) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the motion for summary judgment by the Defendants Warden Stevens, Classification Chief Womack, Major Meador, Regional Director Gross, and Lt. Dodd (docket no. 114) is **GRANTED** and the claims against these Defendants are **DISMISSED WITH PREJUDICE**. It is further

**ORDERED** that the claims against the unknown shift supervisor are **DISMISSED WITH PREJUDICE** for purposes of proceeding *in forma pauperis* for failure to state a claim upon which relief may be granted. It is further

**ORDERED** that the Plaintiff's supplemental state law claims are **DISMISSED WITHOUT PREJUDICE** to their refiling in state court, with the statute of limitations suspended on these claims during the pendency of this lawsuit and for 30 days after it is dismissed. 28 U.S.C. §1367(d). Finally, it is

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

**So Ordered and Signed**

Sep 23, 2019



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Ron Clark, United States District Judge