Cross v. Sweat et al Doc. 62

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

| | | |
|---|---|---|
| ASHICK KATRELL CROSS | § | |
| v. | § | CIVIL ACTION NO. 6:18cv276 |
| WARDEN CAROL MONROE, ET AL. | § | |

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the Defendants' motion for summary judgment should be granted and the lawsuit dismissed with prejudice. The Plaintiff filed objections to the Report arguing that the use of force was not justified and he was subjected to cruel and unusual punishment.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of the case, has been presented for consideration. The court has conducted a *de novo* review of the objections raised by Plaintiff to the Report. It concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court. It is accordingly

**ORDERED** that the Defendants' motion for summary judgment is **GRANTED** and the above-styled civil action is **DISMISSED** with prejudice. It is further

**ORDERED** that any and all motions by either party not previously ruled upon are hereby **DENIED**.

**SIGNED this the 9th day of June, 2020.**

Richard A. Schell

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE



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