Houston v. Bobbitt et al Doc. 54

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

| | | |
|---|---|---|
| DONTE HOUSTON | § | |
| VS. | § | CIVIL ACTION NO. 9:13-CV-60 |
| DARREL BOBBITT, *et al.*, | § | |

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Donte Houston, an inmate confined at the Allred Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendants Sheriff Darrell Bobbitt, Sergeant Joey Bowman, and Deputy Martha Jackson.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Lufkin, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the complaint be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

**SIGNED this 28th day of October, 2015.**

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE

Dockets.Justia.com