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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

KIRK ARTERBERRY	§	
VS.	§	CIVIL ACTION NO. 9:16cv99
DAVID DRISKELL	§	

ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Kirk Arterberry, through counsel, filed the above-styled civil rights lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this Court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion to dismiss filed by Brad Livingston (doc. no. 7) be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections were filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED** as the opinion of the court. Mr. Livingston's motion to dismiss is **GRANTED** and Mr. Livingston is dismissed from this lawsuit.

So Ordered and Signed
Jan 4, 2017

Ron Clark, United States District Judge

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