

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

JODY WAYNE PICKETT

v.

R. DAVALOS, et al.

§
§
§
§
§

NO. 9:16-CV-161

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

The court has received the report and recommendation of United States Magistrate Judge Zack Hawthorn, which recommends denying pro se Plaintiff Jody Wayne Pickett's motion to proceed in forma pauperis, and instructed Pickett to pay the filing fee associated with his complaint no later than July 14, 2017. Doc. No. 8. No objections to the report have been filed, and the time for so doing has passed. It is therefore, **ORDERED**, that Judge Hawthorn's report is **ADOPTED**. Because Pickett has failed to pay the \$400 filing fee, his case is **DISMISSED** without prejudice, pursuant to Rule 41 of the Federal Rules of Civil Procedure. FED. R. CIV. P. 41(b).

So **ORDERED** and **SIGNED** this **17** day of **July, 2017**.



Ron Clark, United States District Judge