

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

RICKY BARNARD JUSTICE §
 VS. § CIVIL ACTION NO. 9:16cv167
 WARDEN STEPHENS, ET AL. §

ORDER ADOPTING THE MAGISTRATE
 JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Ricky Barnard Justice, an inmate at the Polunsky Unit, proceeding *pro se*, brought the above-styled lawsuit pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed without prejudice.

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

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**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So Ordered and Signed

Jan 18, 2017



 Ron Clark, United States District Judge