

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

ROGER L. DODD §
VS. § CIVIL ACTION NO. 9:16-CV-181
NACOGDOCHES COUNTY SHERIFF, *et al.*, §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Roger L. Dodd, an inmate confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 against several defendants.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff's civil rights action be dismissed for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

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.¹

¹Plaintiff filed correspondence with the Court which was filed as objections in error. A review of the correspondence reveals plaintiff requested his case be dismissed without prejudice as it was filed in error (docket entry no. 7).

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **PARTIALLY ADOPTED** to the extent it recommends dismissal. A Final Judgment will be entered in accordance with the Magistrate Judge's recommendations.

So **ORDERED** and **SIGNED** this **29** day of **December, 2016**.



Ron Clark, United States District Judge