

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

THEODORE THOMAS §
VS. § CIVIL ACTION NO. 9:16-CV-205
E. HANCOCK, ET AL. §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Theodore Thomas, a former prisoner, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against E. Hancock, Major Smith, Gilcrease, the Nacogdoches Police Department, and the City of Nacogdoches.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge. The Magistrate Judge recommends dismissing this civil rights action without prejudice.

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 the 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 (document no. 5) is **ADOPTED**. The Clerk of Court is

directed to file the original complaint (document no. 1) in cause number 9:14-CV-171. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So ORDERED and SIGNED this 3rd day of April, 2017.



Ron Clark, United States District Judge