

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

JODY WAYNE PICKETT

v.

CHRISTOPHER B. CAIN, et al.

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CIVIL ACTION NO. 9:17-cv-65

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

This case is assigned to the Honorable Zack Hawthorn, United States Magistrate Judge, for pre-trial management. On July 20, 2017, Judge Hawthorn entered a report (“Report,” Doc. No. 6) recommending the court deny pro se Plaintiff Jody Wayne Pickett’s “Motion to Proceed In Forma Pauperis.” (Doc. No. 2). The Plaintiff did not object to the Report within fourteen days of receipt. On August 18, 2017, Plaintiff filed his “Motion for Extension of Time to Answer or Respond.” (Doc. No. 8). Judge Hawthorn interpreted this motion as a request to allow Plaintiff to file an objection to the Report outside of the fourteen day time period allowed by the Report. (Doc. No. 9, at 1). Judge Hawthorn granted the Plaintiff’s motion for an extension, and Plaintiff was allowed an extension to object to the Report until September 1, 2017. (Id. at 1). The court has not received an objection to the Report from the Plaintiff, and the time for doing so has passed.

It is, therefore, **ORDERED** that Judge Hawthorn’s “Report and Recommendation” (Doc. No. 6) is **ADOPTED**, and the Plaintiff’s “Motion to Proceed In Forma Pauperis” (Doc. No. 2) is **DENIED**. It is further **ORDERED** that the Plaintiff must pay the \$400 filing fee

within fifteen (15) days of the receipt of this order or the case will be dismissed.

So Ordered and Signed

Sep 20, 2017



Ron Clark, United States District Judge