Vessell v. Newman et al Doc. 15

UNITED STATES DISTRICT COURT **EASTERN DISTRICT OF TEXAS**

LEON D. VESSELL,	§	
	§	
Plaintiff,	§	
	§	
versus	§	CIVIL ACTION NO. 9:19-CV-129
	§	
MITCHELL NEWMAN, *et al.*,	§	
	§	
Defendants.	§	

MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Leon D. Vessell, proceeding *pro se*, filed this civil rights lawsuit against Mitchell Newman and James D. Price. The court previously referred this matter to the Honorable Zack Hawthorn, 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 recommending that a motion to dismiss filed by defendant Newman be granted. The magistrate judge also recommended that the claim against defendant Price be dismissed for failure to state a claim upon which relief may be granted.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.

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**. The motion to dismiss filed by defendant Newman is **GRANTED.** The claims against defendants Newman and Price are **DISMISSED**. A final judgment shall be entered.

SIGNED at Beaumont, Texas, this 18th day of January, 2023.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE

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