

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

2010 MAR 30 PM 1:00

DEPUTY CLERK do

RICHARD JAMES JOHNSON, PRO SE,  
TDCJ-CID #1005689,  
Previous TDCJ-CID #616683,

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Plaintiff,

v.

2:07-CV-0191

JOE GRIMES ET AL.,

Defendants.

**ORDER OF PARTIAL DISMISSAL**

Plaintiff RICHARD JAMES JOHNSON, acting pro se and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against several defendants and was granted permission to proceed *in forma pauperis*.

On June 6, 2009, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of plaintiff's claims against defendants KELLY and GERRALDO without prejudice for failure to prosecute.

The period for response has expired, and no objections have been filed by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

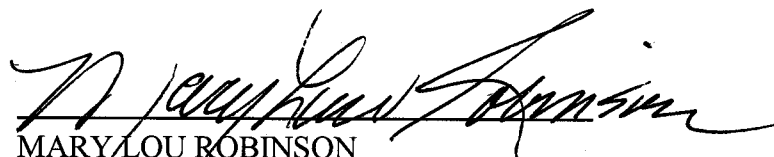
IT IS THEREFORE ORDERED that the Civil Rights Claims by plaintiff RICHARD JAMES JOHNSON against defendant NFN KELLY and NFN GERRALDO are DISMISSED WITHOUT PREJUDICE FOR FAILURE TO PROSECUTE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record.

IT IS SO ORDERED.

ENTERED this 30<sup>th</sup> day of March, 2010.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE