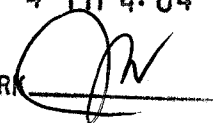


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2011 NOV -4 PM 4:04

DEPUTY CLERK



HENRY WATKINS SKINNER,

Plaintiff,

v.

LYNN SWITZER,
District Attorney,
31st Judicial District of Texas,

Defendant.

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2:09-CV-281

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND STAYING AND ABATING CASE**

Pending before the Court is a 42 U.S.C. § 1983 complaint brought by plaintiff HENRY SKINNER. On October 27, 2011, the United States Magistrate Judge entered a Report and Recommendation, recommending therein that the Court stay and abate these proceedings. Plaintiff has indicated he does not intend to object to the Report and Recommendation, and defendant did not timely file any objections.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. For the reasons set forth in the Report and Recommendation, this case is STAYED AND ABATED until final action by the Texas Court of Criminal Appeals on plaintiff's Motion for DNA Testing.

The Clerk of the Court is directed to ADMINISTRATIVELY CLOSE this case until such time as the Court orders the case reopened.

Plaintiff is ordered to comply with the directions set forth in the "Recommendation" section of the October 27, 2011 Report and Recommendation.

IT IS SO ORDERED.

ENTERED this 4th of November, 2011.



MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE