

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

GREGORY SCOTT GARRISON, PRO SE,	§	
also known as GREGORY S. GARRISON,	§	
also known as GREG SCOTT GARRISON,	§	
also known as GREG S. GARRISON,	§	
ADC No. 601544,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:11-CV-0010
	§	
CHARLES (BUTCH) BLACKBURN, Sheriff;	§	
CHERYL PHILLIPS, Jail Administrator;	§	
CHAD SIMPSON, Trooper;	§	
JAMES O'MALLEY, Deputy;	§	
PAT LNU, Jailer;	§	
JOHN DOE #1, Male Jailer; and	§	
JOHN DOE #2, Trooper,	§	
	§	
Defendants.	§	

ORDER OF PARTIAL DISMISSAL

Plaintiff GREGORY SCOTT GARRISON, acting pro se and while a prisoner confined in the Faulkner County Detention Center in Conway, Arkansas, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and has been granted permission to proceed in forma pauperis.

On June 17, 2011, a Report and Recommendation was issued by the United States Magistrate Judge recommending plaintiff's claims against defendants CHAD SIMPSON, JAMES O'MALLEY, JOHN DOE #1, JOHN DOE #2, and against defendant Sheriff CHARLES (BUTCH) BLACKBURN in BLACKBURN's individual capacity be DISMISSED WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

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 that 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 in this case.

IT IS HEREBY ORDERED that the Civil Rights Claims filed pursuant to Title 42, United States Code, section 1983, by plaintiff GREGORY SCOTT GARRISON against defendants CHAD SIMPSON, JAMES O'MALLEY, JOHN DOE #1, JOHN DOE #2, and against defendant Sheriff CHARLES (BUTCH) BLACKBURN in BLACKBURN's individual capacity are DISMISSED WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.


LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

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

It is SO ORDERED.

Signed this the 11th day of July, 2011.



MARY LOU ROBINSON
United States District Judge