

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSEPH WAYNE HUNTER
(TDCJ No. 1981619),

Plaintiff,

V.

LUPE VALDEZ, Dallas County Sheriff,
ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

No. 3:16-cv-3346-M-BN

**ORDER WITHDRAWING FINDINGS, CONCLUSIONS,
AND RECOMMENDATION**

This *pro se* action has been referred to the undersigned United States magistrate judge for pretrial management under 28 U.S.C. § 636(b) and a standing order of reference from Chief Judge Barbara M. G. Lynn.

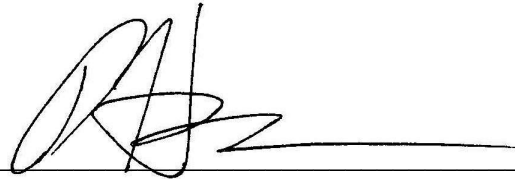
On December 5, 2016, the undersigned entered findings of fact, conclusions of law, and a recommendation that the Court should summarily dismiss this action without prejudice pursuant to 28 U.S.C. § 1915(g) unless Plaintiff Joseph Wayne Hunter pays the full filing fee of \$400.00 within the time for filing objections to this recommendation or by some other deadline established by the Court. *See* Dkt. No. 5 (the “FCR”).

Hunter has now filed objections to the FCR, questioning the number of “strikes” against him for purposes of Section 1915(g), and he has renewed his request for leave to proceed *in forma pauperis*. *See* Dkt. No. 6.

The FCR is WITHDRAWN to allow the undersigned to consider, in the first instance, Hunter's claims concerning the correct number of "strikes."

SO ORDERED.

DATED: January 5, 2017

A handwritten signature in black ink, appearing to read 'D. Horan', written over a horizontal line.

DAVID L. HORAN
UNITED STATES MAGISTRATE JUDGE