

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

<p><b>NORRIS MORGAN,</b> <b>Plaintiff,</b></p> <p>vs.</p> <p><b>TEXAS DEPARTMENT OF STATE HEALTH SERVICES,</b> <b>Defendant.</b></p>	<p>§ § § § § § §</p>	<p><b>Civil Action No. 3:17-CV-0897-D</b></p>
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**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted, and defendant's November 28, 2017 amended 12(b)(6) motion to dismiss is granted.

Accordingly, plaintiff's Title VII claims are dismissed for failure to exhaust administrative remedies, and plaintiff's claims based on criminal violations and the Family and Medical Leave Act are dismissed for failure to state a claim on which relief can be granted. Plaintiff's Title VII claims are therefore dismissed without prejudice, and plaintiff's remaining claims are dismissed with prejudice.

**SO ORDERED.**

May 1, 2018.

  
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 SIDNEY A. FITZWATER  
 UNITED STATES DISTRICT JUDGE