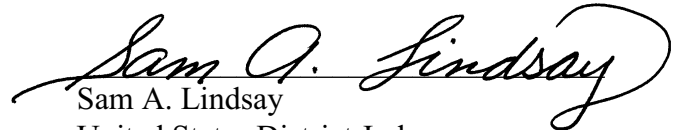


CSD's Motion to Dismiss and dismiss without prejudice all claims against CSD under Rule 12(b)(1) for lack of subject matter jurisdiction; (3) *sua sponte* dismiss with prejudice all remaining claims by Plaintiff under Texas law or the Texas Constitution under Rule 12(b)(6) for failure to state a claim upon which relief can be granted; and (4) refuse to allow Plaintiff to further amend his pleadings. No objections to the Report were filed.

After reviewing the motions, pleadings, file, the record, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, Dallas County Defendants' Motion to Dismiss pursuant to Rule 12(b)(6) (Doc. 13) is **granted**, all federal claims against the Dallas County Defendants and all state law tort claims against the County by Plaintiff are **dismissed with prejudice**, and the Dallas County Defendants' other grounds for dismissal under Rules 12(b)(1), (b)(2), and (b)(5) are **denied as moot**. CSD's Motion to Dismiss under Rule 12(b)(1) (Doc. 15) is **granted**, and all claims by Plaintiff against CSD are **dismissed without prejudice** for lack of subject matter jurisdiction. Further, the court *sua sponte* **dismisses with prejudice** all remaining claims by Plaintiff under Texas law or the Texas Constitution against the Dallas County Defendants for failure to state a claim upon which relief can be granted. Although Plaintiff has not requested an additional opportunity to amend his pleadings, the court determines for the reasons explained by the magistrate judge that he should not be given another chance to do so because it appears he has stated his best case and allowing him to further amend would be likely be futile and unnecessarily delay the resolution of this litigation.

It is so ordered this 27th day of November, 2018.


Sam A. Lindsay
United States District Judge