

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JAMES LEE SMITH Jr.,	§
Petitioner,	§
VS.	§
	§ CIVIL ACTION NO.4:08-CV-471-Y
	§ (Consolidated with Nos.4:08-CV-
NATHANIEL QUARTERMAN, Director,	§ 472-Y through 4:08-CV-476-Y)
T.D.C.J., Correctional	§
Institutions Div.,	§
Respondent.	§

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the consolidated petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner James Lee Smith Jr., along with the October 27, 2008, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until November 17, 2008, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case and has reviewed for clear error the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on October 27, 2008. The Court concludes that the petition for writ of habeas corpus should be dismissed with prejudice for the reasons stated in the magistrate judge's findings and conclusions.

Therefore the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Petitioner James Lee Smith Jr.'s consolidated petition for writ of habeas corpus is DISMISSED WITH PREJUDICE.

SIGNED November 26, 2008.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE