

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

CARL DENNIS CALHOUN, II,

Plaintiff,

v.

ATTORNEY GENERAL OF TEXAS

et al.,

Defendants.

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Civil Action No. 4:20-cv-00016-P

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

On January 6, 2020, pro se Plaintiff Carl Dennis Calhoun, II filed the instant lawsuit against the Attorney General of Texas, Aisha Watkins, and Lyric Sajada Watkins. Compl., ECF No. 1.¹ The same day, Plaintiff filed a motion for leave to proceed in forma pauperis (ECF No. 2), which was granted (ECF No. 6). Pursuant to Special Order 3, the case was referred to United States Magistrate Judge Hal R. Ray, Jr. for pretrial management. ECF No. 4.

Plaintiff was eventually ordered to show cause explaining how the Court has subject matter jurisdiction over the case. *See* 28 U.S.C. § 1915(e)(2)(B); ECF No. 7. Plaintiff filed several responses (ECF Nos. 8, 10–16, 18–19). On September 30, 2020, Judge Ray issued Findings, Conclusions, and a Recommendation (“FCRs”) that Plaintiff’s case be dismissed without prejudice for lack of subject matter jurisdiction. *See* ECF No. 23 at 11.

¹Plaintiff’s Complaint contains scattershot allegations against Defendants concerning alleged violations of his rights in connection with a child support case. *See generally* Compl.

On October 14, 2020, Plaintiff filed an untitled document. *See* ECF No. 24. The Court’s review of the untitled document reveals a reassertion of Plaintiff’s allegations in the Complaint. *See id.* The only arguable objection is to “the assignment of this matter to an associate judge for a trial on the merits or presiding at jury trial.” *Id.* at 1. This is an improper objection because “[e]ven if the parties do not consent, . . . the district court may designate a [magistrate judge] ‘to hear and determine any pretrial matter pending before the court’ . . .” *McFaul v. Valenzuela*, 684 F.3d 564, 579 (5th Cir. 2012) (quoting 28 § 636(b)(1)(A)).

The impropriety of Plaintiff’s objection notwithstanding, the District Judge reviewed the proposed Findings, Conclusions, and Recommendation de novo. Having done so, the undersigned believes that the Findings and Conclusions of the Magistrate Judge are correct, and they are **ACCEPTED** as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that Plaintiff’s case is **DISMISSED without prejudice**.

SO ORDERED on this **15th day of October, 2020**.

A handwritten signature in black ink that reads "Mark T. Pittman". The signature is written in a cursive style with a horizontal line underneath the name.

Mark T. Pittman

UNITED STATES DISTRICT JUDGE