

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

2011 FEB 10 PM 12:02

DEPUTY CLERK 

ANSON B. MCFAUL, )  
Institutional ID No. 1006030, )  
SID No. 5705111, )

Plaintiff, )

v. )

DANIEL VALENZUELA, )  
Chaplain-Preston Smith Unit, )  
in his Individual and Official Capacity, )  
*et al.*, )

Defendants. )

CIVIL ACTION NO.  
5:09-CV-165-C  
ECF

**ORDER**

The United States Magistrate Judge entered a Report and Recommendation on September 14, 2010, and Plaintiff filed his objections on September 22, 2010.

The undersigned United States District Judge has made an independent examination of the record in this case and has examined the findings, conclusions, and recommendations of the Magistrate Judge as well as the specific objections of the Plaintiff. The Court finds that Plaintiff's objections should be overruled in all things, and the Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

It is, therefore, ORDERED:

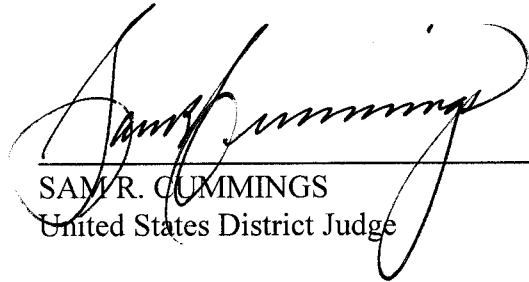
1. Defendants' Motion for Summary Judgment is GRANTED.
2. Plaintiff take nothing on his claims against Defendants.
3. All relief not expressly granted and all pending motions should be denied.

Judgment shall be entered accordingly.

Plaintiff is advised that if he appeals this Order, he will be required to pay the appeal fee of \$455.00 pursuant to the PLRA, and he must submit an application to proceed in forma pauperis and a 6-month Certificate of Inmate Trust Account at the same time he files his notice of appeal.

The Clerk shall mail a copy of this Order to Plaintiff, the Defendants' Attorney(s), the Director of the Texas Department of Criminal Justice, and the Court Coordinator for the TDCJ Classification and Records.

Dated February 10, 2011.



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SAM R. CUMMINGS  
United States District Judge