

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

TOMMIE J. DENSON,)
TDCJ #687907,)
Petitioner,)
v.)
RICK THALER, Director,)
Texas Department of Criminal Justice,)
Correctional Institutions Division,)
Respondent.)

Civil No. 7:12-CV-166-O-BL

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files and records in this case, of the Report and Recommendation of the United States Magistrate Judge, and of Petitioner’s objections to the Report and Recommendation, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal set forth in the Report and Recommendation of the Magistrate Judge are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.¹

Accordingly, the petition for writ of habeas corpus is DENIED.

SO ORDERED this 15th day of November, 2012.


Reed O'Connor
UNITED STATES DISTRICT JUDGE

¹ In his objections, Petitioner argues that his parole release was granted, then revoked, as opposed to being simply denied. Petitioner is mistaken. His exhibits, attached to his Brief in Support, reflect that a provisional decision to grant parole was made contingent upon several conditions including Petitioner completing a rehabilitation program and maintaining satisfactory institutional adjustment. The notice states that the Parole Board could modify its decision at anytime upon the receipt of additional information sufficient to withdraw the decision. Petitioner committed a disciplinary violation and the provisional decision was withdrawn. Petitioner was not granted release on parole and therefore had no liberty interest at stake.