

United States District Court
Southern District of Texas

ENTERED

July 31, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

JOSE LUIS LOPEZ,
Petitioner,

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VS.

CIVIL NO. B-16-314

LORIE DAVIS,
Respondent.

ORDER

On June 15, 2017, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 25]. Plaintiff has objected [Doc. No. 27 & 28] to said Report and Recommendation. Defendant filed what appears to be his Motion for Extension of Time to File Objections in which he incorporates documents titled Parol and Mandatory Supervision and a Motion to Suppress [Doc. No. 30]. The Court will treat the Parol and Mandatory Supervision as additional objections.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court hereby adopts the Report and Recommendation. Jose Luis Lopez' petition for *writ of habeas corpus* by a person in state custody pursuant to 28 U.S.C. § 2254 is dismissed without prejudice for lack of jurisdiction, and Lorie Davis' motion for summary judgment is denied as moot. Additionally, the issuance of a Certificate of Appealability is denied. Defendant's Motion to Suppress [Doc. No. 30] is denied.

Signed this 31st day of July, 2017.



Andrew S. Hanen
United States District Judge