

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

RAUL MARTINEZ
REG. ID 19240-179,
Plaintiff,

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Civ. No. CC-08-336

v.

M. MARTIN, *et al.*,
Defendants.

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

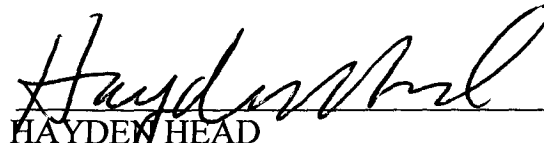
The Magistrate Judge recommends that this Court grant summary judgment in favor of Defendants. D.E. 37. Plaintiff has alleged deliberate indifference to his serious medical needs against several Defendants either employed by the Bureau of Prison (the “BOP Defendants”) or by the University of Texas Medical Branch (the “UTMB Defendants”). D.E. 1. Both sets of Defendants move for summary judgment. D.E. 24, 33. The BOP Defendants move for summary judgment for lack of subject matter jurisdiction, and in the alternative, on the merits. D.E. 24. The UTMB Defendants move for summary judgment on the grounds of qualified immunity. D.E. 33. Plaintiff has not filed a response to either of these motions. The Magistrate Judge recommends granting both summary judgment motions. D.E. 37. That recommendation was filed on September 18, 2009. *Id.* Plaintiff has not filed objections.

When no timely objection to the Magistrate Judge’s Memorandum and Recommendation is filed, the Court need only satisfy itself that there is no “clear

error” on the face of the record in order to accept the Magistrate Judge’s recommendation. *See Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir.1996) (citing FED. R. CIV. P. 72(b) advisory committee’s note (1983)).

Having reviewed the pleadings and motions on file, the Court finds no clear error in the Magistrate Judge’s recommendation. The Court accepts the Magistrate Judge’s recommendation and GRANTS summary judgment in favor of all Defendants.

ORDERED this 25 day of Oct,
2009.


HAYDEN HEAD
CHIEF JUDGE