

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PEPORRO PAPITO MEDINA,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. 2:12-CV-00251
	§	
RICK THALER,	§	
	§	
Respondent.	§	


**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION TO
GRANT RESPONDENT'S MOTION TO DISMISS**

Pending before the Court is Respondent's Motion to Dismiss (D.E. 23). On January 16, 2013, United States Magistrate Judge Brian L. Owsley issued a Memorandum and Recommendation (D.E. 26), recommending that Respondent's Motion to Dismiss be granted. Petitioner timely filed his Objections (D.E. 27) on January 29, 2013. Petitioner's objections are arguments regarding the merits and do not address the facts, law, or reasoning that serves as the basis for the Memorandum and Recommendation. Petitioner's objections are **OVERRULED**.

Having reviewed the findings of fact, conclusions of law, and recommendations set forth in the Magistrate Judge's Memorandum and Recommendation, as well as all other relevant documents in the record, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Respondent's Motion to Dismiss is

(D.E. 23) is **GRANTED** and this action is **DISMISSED**. In the event that the Petitioner seeks a Certificate of Appealability, such request is **DENIED**.

ORDERED this 7th day of May, 2013.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE