

United States District Court
Southern District of Texas

ENTERED

December 12, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BRAD BROUSSARD,

Plaintiff,

VS.

WILLIAM STEPHENS, *et al*,

Defendants.

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CIVIL ACTION NO. 2:13-CV-00211

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
ON DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

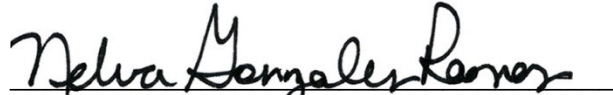
On October 24, 2016, United States Magistrate Judge Jason B. Libby issued his “Memorandum and Recommendation on Defendant’s Motion for Summary Judgment” (D.E. 90). The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 90), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Defendant’s Motion for

Summary Judgment (D.E. 83) is **GRANTED** and Plaintiff's claims challenging the TDCJ's August 2015 identification policy as it relates to Muslim inmates wearing beards and maintaining two photos for identification, with a new photo taken annually, are **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies. Plaintiff is instructed that he may file an original complaint **within thirty days** of the dismissal of this case.

ORDERED this 12th day of December, 2016.


NELVA GONZALEZ RAMOS
UNITED STATES DISTRICT JUDGE