UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DALE W JOHNSON,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. 2:14-CV-00260
	§	
MIGUEL MARTINEZ, *et al*,	§	
	§	
Respondents.	§	

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

On October 31, 2014, United States Magistrate Judge B. Janice Ellington issued her "Memorandum and Recommendation" (D.E. 9). 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. 9), 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, the Respondent's motion

for summary judgment (D.E. 7) is **GRANTED** and Petitioner's application for habeas corpus relief is **DENIED**. In the event that Petitioner requests a Certificate of Appealability, that request is **DENIED**.

ORDERED this 16th day of December, 2014.

NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE