

United States District Court
Southern District of Texas

ENTERED

January 21, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BRANDON RICHARDSON,

Plaintiff,

VS.

BRAD LIVINGSTON, *et al*,

Defendants.

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CIVIL ACTION NO. 2:14-CV-00464

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

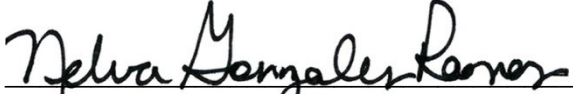
On December 14, 2015, United States Magistrate Judge B. Janice Ellington issued her “Memorandum and Recommendation” (D.E. 45), recommending that Defendants’ “Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(c)” be granted in part as to Officer Alberto Valdez and otherwise denied. The parties were provided 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. 45), 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 motion to dismiss (D.E. 33) is **GRANTED IN PART** and Plaintiff's claims against Officer Alberto Valdez are **DISMISSED**. The motion (D.E. 33) is **DENIED IN PART** as to the remaining claims.

ORDERED this 21st day of January, 2016.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE