

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

United States District Court
Southern District of Texas

ENTERED

December 16, 2016

David J. Bradley, Clerk

JERAME DEE MARSTON,

Plaintiff,

VS.

JIM WELLS COUNTY JAIL,

Respondent.

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CIVIL NO. 2:16-CV-152

ORDER

Plaintiff Jerame Dee Marston ("Marston") filed his initial 42 U.S.C. § 1983 complaint against the Jim Wells County Jail on May 12, 2016. Dkt. No. 1. On May 27, 2016, he was granted leave to proceed in forma pauperis and granted 30 days to amend his deficient complaint, which did not properly name a person subject to suit under § 1983. Marston failed to timely amend his complaint, and subsequently failed to show cause why this action should not be dismissed without prejudice for failure to prosecute. Dkt. No. 9.

The Court has before it now Marston's complaint, Dkt. No. 1, and the Memorandum and Recommendations of the magistrate judge to whom this case was referred pursuant to 28 U.S.C. § 636(b), Dkt. No. 3 ("M&R"). The deadline to file objections to the magistrate judge's proposed findings and recommendations has passed, and the docket sheet shows that no objections have been filed. See 28 U.S.C. § 636(b)(1) (setting 14-day deadline to file objections); Fed. R. Civ. P. 72(b)(2) (same); see also M&R at 3 (advising parties of 14-day deadline).

After independently reviewing the record and considering the applicable law, the Court adopts the magistrate judge's proposed findings and recommendations, and DISMISSES Marston's lawsuit without prejudice. The Clerk shall close this case after entering the accompanying judgment.

It is so ORDERED.

SIGNED this 16th day of December, 2016.

[Handwritten signature of Hilda Tagle]

Hilda Tagle
Senior United States District Judge