

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

United States District Court
Southern District of Texas

ENTERED

July 24, 2017

David J. Bradley, Clerk

HORACE DEMAR,

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Petitioner,

VS.

CIVIL NO. 2:16-CV-320

LORIE DAVIS,

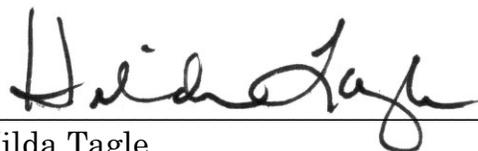
Respondent.

ORDER

Petitioner Horace Demar, an inmate in the Texas Department of Criminal Justice – Correctional Institutions Division currently incarcerated at the McConnell Unit in Beeville, Texas, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 alleging that his right to due process was violated in a prison disciplinary hearing which resulted in the imposition of punishment. Dkt. No. 1. The Court has before it Respondent’s motion for summary judgment,¹ Dkt. No. 14, 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. 15 (“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 10 (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; **GRANTS** Respondent’s motion for summary judgment, Dkt. No. 14; **DISMISSES** the petition for a writ of habeas corpus, Dkt. No. 1; and **DENIES** Petitioner a certificate of appealability. The Clerk shall close this case after entering the accompanying judgment.

SIGNED this 24th day of July, 2017.



Hilda Tagle
Senior United States District Judge

¹ Petitioner did not respond to this motion.