

United States District Court
Southern District of Texas

ENTERED

April 13, 2018

David J. Bradley, Clerk

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

MICHAEL RAY WEST,

Plaintiff,

VS.

BEEVILLE COUNTY JAIL, *et al*,

Defendants.

§
§
§
§
§
§
§
§

CIVIL NO. 2:17-CV-181

ORDER

The Court has received the Magistrate Judge’s October 4, 2017, Memorandum and Recommendation (“M&R”), Dkt. No. 30, and Plaintiff’s objections to the M&R, Dkt. No. 35.¹

After independently reviewing the record and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 30. Accordingly, the Court:

- **RETAINS** Plaintiff’s deliberate-indifference claims against (1) Medical Provider Lori Hudson, Nurse Donna Pfannstiel, Nurse Vicky Crumbliss, Nurse Jessica Espinoza, Nurse Candis Gonzalez, and Nurse Donna Randall in their individual capacities; and (2) Senior Medical Practice Manager Tanya Lawson in her official capacity for injunctive relief;
- **DISMISSES** Plaintiff’s claims for money damages against all Defendants in their official capacities as barred by the Eleventh Amendment;
- **DISMISSES WITHOUT PREJUDICE** Beeville County Jail, Warden Miguel L. Martinez, Assistant Warden Corey Furr, Assistant Warden Kenneth H. Putnam, and former McConnell Unit Warden Matt Barber as defendants; and

¹ Although Plaintiff’s filing is styled as a “Response to Defendants Motion for Dismissal,” the Court construes it as objections to the M&R.

- **DISMISSES WITHOUT PREJUDICE** Plaintiff's claims against the remaining defendants for failure to state a claim and/or as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1).

This case will therefore continue to proceed before the Magistrate Judge.

SIGNED this 13th day of April, 2018.

A handwritten signature in black ink, appearing to read "Hilda Tagle", written over a horizontal line.

Hilda Tagle
Senior United States District Judge