

United States District Court
Southern District of Texas

ENTERED

July 31, 2019

David J. Bradley, Clerk

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

WILLIAM FERGUSON,

Plaintiff,

VS.

GUDLAUG FONDAHN PETERSON, *et al*,

Defendants.

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CIVIL NO. 2:17-CV-308

ORDER

The Court is in receipt of Defendant Gudlaug Fondahn Peterson’s (“Peterson”) Motion for Summary Judgment, Dkt. No. 22; Plaintiff William Ferguson’s (“Ferguson”) Brief in Opposition to Defendants’ Summary Judgment Motion, Dkt. No. 24; and the Magistrate Judge’s Memorandum and Recommendation (“M&R”), Dkt. No. 26. The deadline to file objections to the M&R has passed, and no objections have been filed. FED. R. CIV. P. 72(b) (setting 14-day deadline).

After independently reviewing the record and applicable law, the Court **GRANTS** the M&R, Dkt. No. 26. Accordingly, the Court **GRANTS** Defendant’s motion for summary judgment, Dkt. No. 22, and **DISMISSES** the above-captioned case. The Court directs Ferguson to the footnote on page 9 of the M&R which reads as follows: **If Plaintiff continues to be denied new dentures, he may be able to prevail in his deliberate indifference lawsuit after exhausting his administrative remedies. Plaintiff can name the medical/dental personnel responsible for denying him dentures, and/or Plaintiff may name a John**

Doe Defendant who has the authority to grant him the relief he seeks.

Final Judgment will be entered separately.

SIGNED this 31st day of July 2019.

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

Hilda Tagle
Senior United States District Judge