

United States District Court
Southern District of Texas

ENTERED

October 29, 2020

David J. Bradley, Clerk

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

BENJAMIN FRANKLIN,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL NO. 2:17-CV-370
	§	
BEEVILLE CITY, TEXAS, <i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER AND FINAL JUDGMENT

On August 7, 2020, this Court adopted the Magistrate Judge’s Memorandum and Recommendation, granted Defendants’ motion for summary judgment, and dismissed Plaintiff Benjamin Franklin’s (“Franklin”) claims. Dkt. No. 129.

Franklin filed a motion to alter judgment. Dkt. No. 130. The Magistrate Judge issued a Memorandum and Recommendation to Deny Franklin’s Motion to Alter Judgment. Dkt. No. 131. Franklin filed objections to the Memorandum and Recommendation regarding the Motion to Alter Judgment. Dkt. No. 132. The Magistrate Judge states that Franklin only makes conclusory assertions that his complaint was wrongfully dismissed, and he fails to make specific argument regarding the motion to alter judgment. Dkt. No. 131. Franklin’s objections state there were discovery violations by Defendants. Dkt. No. 132.

Franklin’s objections are frivolous and unrelated to his motion to alter judgment. *See Battle v. United States Parole Comm’n*, 834 F.2d 419 (5th Cir. 1987). The Court **OVERRULES** Franklin’s objections, Dkt. No. 132. The Court **ADOPTS** the Magistrate Judge’s Memorandum and Recommendation in its entirety, Dkt. No. 131, and **DENIES** Franklin’s Motion to Alter Judgment, Dkt. No. 130.

Following this Court's order granting summary judgment and dismissing all remaining claims in this action, Dkt. No. 129, the Court **DIRECTS** the Clerk of the Court to enter Final Judgment and close the case.

SIGNED this 27th day of October, 2020.

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

Hilda Tagle
Senior United States District Judge