

United States District Court
Southern District of Texas

ENTERED

September 07, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

GEORGE OLIVAREZ,

Petitioner,

VS.

LORIE DAVIS, *et al.*,

Respondents.

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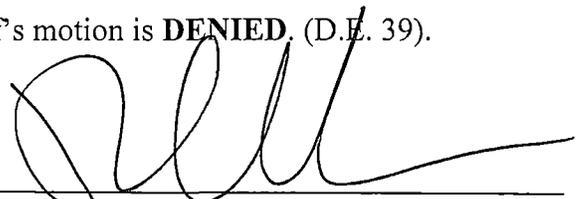
CIVIL ACTION NO. 2:19-CV-396

ORDER

Before the Court is Magistrate Judge Julie K. Hampton’s Memorandum and Recommendation (“M&R”), entered on August 17, 2021. (D.E. 41). The M&R recommends that the Court deny Plaintiff’s construed motion for relief from judgment (D.E. 39) under Rule 60(b) for failure to present extraordinary circumstances warranting relief.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge’s M&R. *See* U.S.C. § 636(b)(1); FED R. CIV. P. 72(b); General Order No. 2002-13. Plaintiff timely filed objections to the M&R. (D.E. 42). Having carefully reviewed the proposed findings and conclusions of the M&R, the record, the applicable law, and having made a de novo review of the portions of the M&R to which Plaintiff’s objections were directed, 28 U.S.C. § 636(b)(1), the court **OVERRULES** Plaintiff’s objections. (D.E. 42). Therefore, the Court **ADOPTS** the M&R in its entirety. (D.E. 41). Accordingly, Plaintiff’s motion is **DENIED**. (D.E. 39).

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
September 7, 2021