

United States District Court
Southern District of Texas

ENTERED

January 07, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOSE ANGEL RIVERA,

Petitioner,

VS.

TEXAS BOARD OF PARDONS &
PAROLES,

Respondent.

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CIVIL ACTION NO. 2:20-CV-136

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Before the Court is Magistrate Judge Julie Hampton’s Memorandum and Recommendation (M&R). (D.E. 10). 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. Petitioner filed objections to the M&R.¹ (D.E. 12). 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 the Plaintiff’s objections were directed, 28 U.S.C. § 636(b)(1), the Court **OVERRULES** Plaintiff’s objections (D.E. 12). Accordingly, the Court:

- (1) **ADOPTS** the M&R in its entirety. (D.E. 10).
- (2) **DISMISSES** Plaintiff’s petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, pursuant to the screening provisions in Rule 4 of the Rules Governing Section 2254 Cases.

¹ It appears that Petitioner did not timely file his objections. *See* (D.E. 10, p. 6; D.E. 11; D.E. 12, p. 6). Nevertheless, the Court will consider the objections. (D.E. 12).

The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
January 7, 2021