

United States District Court
Southern District of Texas

ENTERED

June 15, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

EFRAIN ACEVEDO,

Plaintiff,

VS.

JOHNY ABRAHAM, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:14-CV-183

ORDER


The Texas Attorney General has, at the Court's request, provided a *Martinez* report¹ and requested that the Court seal it. The Attorney General's motion to seal (Dkt. 15) is **GRANTED**.

The Attorney General served Acevedo with a copy of the *Martinez* report. Because the *Martinez* report contains legal arguments and refers to exhibits and matters outside the pleadings, the Court converts that report to a motion for summary judgment under Federal Rule of Civil Procedure 56 and **ORDERS** Acevedo to file any response by **July 30, 2017**. The Attorney General shall file any reply by **August 15, 2017**.

¹ *Martinez v. Aaron*, 570 F.2d 317 (10th Cir. 1987); *see also Cay v. Estelle*, 789 F.2d 318, 323 & n.4 (5th Cir. 1986) (discussing the utility of a *Martinez* report).

The Clerk will provide a copy of this order to the parties and to counsel for *amicus curiae*, the Office of the Texas Attorney General.

SIGNED at Galveston, Texas, on June 15, 2017.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE