

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

TIMOTHY LYONS,

*Plaintiff,*

VS.

CITY OF GALVESTON, *et al,*

*Defendants.*

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CIVIL ACTION 3:14-CV-0302

**ORDER**

Pending before the Court is Defendant Galveston County’s Motion to Dismiss (Dkt. 20) Plaintiff’s Second Amended Complaint (Dkt. 18). The only factual details offered against Galveston County are that: “While [Plaintiff] was in jail, [he] requested and was denied medical treatment for what he later discovered was a broken wrist, and was also denied access to prescribed medication.” After considering the Motion, all responses, and the applicable law, the Court finds that Defendant’s Motion is meritorious and that Plaintiff has failed to plead sufficient factual matter to state a claim for relief against Galveston County. See *Thomas v. City of Galveston, Texas*, 800 F. Supp. 2d 826, 843-44 (S.D. Tex. 2011) and the citations therein. Accordingly, Defendant’s Motion to Dismiss is must be **GRANTED**.

Pursuant to Rule 15(a)(2), Plaintiff’s Motion for Leave to Amend Complaint is hereby **GRANTED**, and Plaintiff has **10 days** from entry of this ORDER to file his Amended Complaint.

SIGNED, at Galveston, Texas on July 31, 2015.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE