

United States District Court
Southern District of Texas

ENTERED

April 27, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

NICOLE MALBROUGH, §
 §
VS. § 3:17-CV-00283
 §
JASON DEON HOLMES, *et al.* §

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On February 23, 2021, all non-dispositive pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(A). Dkt. 78. On April 5, 2021, Judge Edison filed a memorandum and recommendation (Dkt. 94) recommending that Defendant's Traditional and No Evidence Motion for Summary Judgment and Motion to Dismiss (Dkt. 58) be denied.

No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 94) is approved and adopted in its entirety as the holding of the court; and

- (2) Defendant's Traditional and No Evidence Motion for Summary Judgment and Motion to Dismiss (Dkt. 58) is denied.

Signed on Galveston Island this 27th day of April 2021.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE