**ENTERED** August 14, 2018 David J. Bradley, Clerk

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

TRACEY TROY HUDSON	§
Plaintiff. VS.	§
	§
	§
	§
	§
POT-O-GOLD RENTALS, LLC;	§
CITY OF GALVESTON, TX; and	§
PARK BOARD OF TRUSTEES OF	§
THE CITY OF GALVESTON	§
	§
Defendants.	§

CIVIL ACTION NO. 3:17-CV-00314

## ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On March 28, 2018, this case was referred to United States Magistrate Judge Andrew M. Edison. Dkt. 23. On July 24, 2018, Judge Edison filed a Memorandum and Recommendation (Dkt. 39) recommending that Defendant City of Galveston's Motion for Dismissal with Prejudice (Dkt. 36) be DENIED.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, 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, it is hereby

## **ORDERED AND ADJUDGED** that:

(1) Judge Edison's Memorandum and Recommendation is **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and

Defendant City of Galveston's Motion for Dismissal with Prejudice (Dkt. (2) 36) is **DENIED**.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 14<sup>th</sup> day of August, 2018.

<u>George C. Hanks Jr.</u>

United States District Judge