

United States District Court
Southern District of Texas

ENTERED

July 16, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JACQUELINE CORTEZ §
BURLINGAME, ET AL., §

Plaintiffs. §

VS. §

CIVIL ACTION NO. 3:18-CV-00183

GALVESTON COUNTY, ET AL., §

Defendants. §

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

On December 4, 2019, this case was referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 58. Judge Edison considered two motions for summary judgment: (1) the defendants Boon-Chapman Benefit Administrators, Inc., Soluta Health, Inc., Kathy White A/K/A Kathy Jean Jordan, Garry Killyon, Alexis Ensley, and Kimberly Boykins's motion for summary judgment (Dkt. 46); and (2) the defendants Galveston County and Sheriff Henry Trochesset's motion for summary judgment (Dkt. 48) (collectively, the "Motions"). On April 27, 2020, Judge Edison filed a memorandum and recommendation (Dkt. 86) recommending that the Motions be granted.

On May 11, 2020, the plaintiffs filed their objections. Dkt. 89. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified

proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; see also Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections raise by the plaintiffs; all responses and replies related to the objections; the memorandum and recommendation; the pleadings; and the record. The court accepts Judge Edison’s memorandum and recommendation (Dkt. 86) and adopts it as the opinion of the court.

Accordingly, the court grants the defendants Boon-Chapman Benefit Administrators, Inc., Soluta Health, Inc., Kathy White A/K/A Kathy Jean Jordan, Garry Killyon, Alexis Ensley, and Kimberly Boykins’s motion for summary judgment (Dkt. 46). The court also grants the defendants Galveston County and Sheriff Henry Trochesset’s motion for summary judgment (Dkt. 48).

Signed on Galveston Island on the 16th day of July, 2020.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE