

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

NATHAN SMITH, §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. H-12-469  
§  
THE STATE OF TEXAS, et al., §  
§  
Defendants. §

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

Having reviewed the Magistrate Judge's Memorandum and Recommendation entered on February 6, 2013,<sup>1</sup> the court is of the opinion that said Memorandum and Recommendation should be adopted by this court.

It is, therefore, **ORDERED** that the Memorandum and Recommendation is hereby **ADOPTED** by this court.

The Clerk shall send copies of this Order to the respective parties.

**SIGNED** at Houston, Texas, this 22nd day of February, 2013.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The parties filed no objections to the Memorandum and Recommendation.