

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas

ENTERED

March 22, 2017

David J. Bradley, Clerk

JULIA MENARD,

Plaintiff,

v.

ST. JOSEPH EMERGENCY PHYSICIANS, PLLC,
and ST. JOSEPH CENTER LLC, d/b/a
ST. JOSEPH MEDICAL CENTER,

Defendant.

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CIVIL ACTION H-16-800

ORDER

Pending before the court is an amended memorandum, recommendation and order (“M&R”) in which the Magistrate Judge recommends that defendant St. Joseph Emergency Physicians, PLLC’s (“Emergency Physicians”) motion to dismiss (Dkt. 22) be granted and recommends, *sua sponte*, that plaintiff Julia Menard’s premises liability claim against defendant St. Joseph Medical Center, LLC (“St. Joseph’s”) also be dismissed. Dkt. 32. Neither Menard nor either defendant filed objections to these recommendations. After reviewing the motion, related documents, and the applicable law, the court is of the opinion that there is no clear error and that the M&R should be adopted. *See* Fed. R. Civ. P. 72, Advisory Committee Notes (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). Accordingly, the amended M&R (Dkt. 32) is **ADOPTED IN FULL**. Emergency Physicians’ motion to dismiss (Dkt. 22) is **GRANTED**. Menard’s claims against Emergency Physicians are **DISMISSED**, and Menard’s premises liability claim against St. Joseph’s is **DISMISSED**.

Signed at Houston, Texas on March 22, 2017.



Gray H. Miller
United States District Judge