Turner v. Brennan et al Doc. 23

United States District Court
Southern District of Texas
ENTERED
December 07, 2017
David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

WALTER W TURNER,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. 4:17-CV-1259
	§	
MEGAN J BRENNAN, *et al*,	§	
	§	
Defendants.	§	

ORDER

Before the Court is the Magistrate Court's Memorandum and Recommendation Granting Defendants' Motions to Dismiss, filed on November 20, 2017 (Doc. #21). The time for filing objections has passed, and no objections have been filed. Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error. *See Cruz v. Colvin*, No. 7:14-CV-780, 2016 WL 728182, at *1 (S.D. Tex. Feb. 24, 2016).[1] Finding no clear error, the Court adopts the Memorandum and Recommendation in its entirety. Accordingly, Plaintiffs' claims are DISMISSED WITH PREJUDICE for failure to state a claim.

It is so ORDERED.

DEC 0 6 2017
Date

The Honorable Alfred H. Bennett
United States District Judge

[1] As noted by the Fifth Circuit, "[t]he advisory committee's note to Rule 72(b) states that, '[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Douglas v. United Services Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (quoting Fed. R. Civ. P.72(b) advisory committee's note (1983)) *superseded by statute on other grounds by* 28 U.S.C. § 636(b)(1), *as stated in ACS Recovery Servs., Inc v. Griffin*, No. 11-40446, 2012 WL 1071216, at *7 n.5 (5th Cir. April 2, 2012).

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