

United States District Court  
Southern District of Texas

**ENTERED**

September 17, 2018

David J. Bradley, Clerk

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

LARRY MOORE, JR.,

Plaintiff,

v.

HOUSTON POLICE DEPARTMENT,  
CITY OF HOUSTON, and  
KEVIN HUBENAK  
Defendants.

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CIVIL ACTION NO. H-17-2505

ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION

Having reviewed the Magistrate Judge's Memorandum and Recommendation (Docket Entry No. 41) dated August 15, 2018, the objections thereto, and the response to the objections, 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.

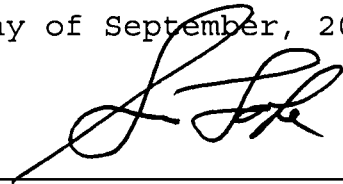
In Plaintiff's Response to Defendant Kelly's Motion to Dismiss and Kelly's Objections to the Magistrate Judge's Memorandum and Recommendation and Request for Leave to Amend Petition (Docket Entry No. 46), Plaintiff requested leave to amend his complaint "to identify, by name instead of reference, parties responsible for Plaintiff's deprivation of rights."<sup>1</sup> The court **GRANTS** Plaintiff's request limited to identifying the defendant(s) against whom he is

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<sup>1</sup> Plaintiff's Response to Defendant Kelly's Motion to Dismiss and Kelly's Objections to the Magistrate Judge's Memorandum and Recommendation and Request for Leave to Amend Petition, Docket Entry No. 41, p. 5.

alleging each remaining cause of action. Plaintiff must file the amended pleading no later than fourteen days from the date of this order. Any further challenges by any defendant to Plaintiff's causes of action must to be filed pursuant to Federal Rule of Civil Procedure 56.

SIGNED at Houston, Texas, this 17th day of September, 2018.

A handwritten signature in black ink, appearing to read 'S. Lake', written over a horizontal line.

SIM LAKE  
UNITED STATES DISTRICT JUDGE