

United States District Court  
Southern District of Texas

**ENTERED**

September 16, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

KERMIT C. WOODS,

§

Plaintiff.

§

§

VS.

§

§

CIVIL ACTION NO. 4:21-cv-00791

U.S. DEPARTMENT OF JUSTICE

§

FEDERAL BUREAU OF

§

PRISONS, *et al.*,

§

§

Defendants.

§

§

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

On July 15, 2022, this case was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 18. Judge Edison filed a Memorandum and Recommendation on August 22, 2022, recommending that a Motion to Dismiss (Dkt. 24) filed by Defendant U.S. Department of Justice Bureau of Prisons (“BOP”) be **GRANTED**. Dkt. 25. No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 25) is **APPROVED and ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's claims against BOP are **DISMISSED**; and
- (3) BOP's Motion to Dismiss (Dkt. 24) is **DENIED** as moot.

It is so **ORDERED**.

SIGNED and ENTERED this 16th day of September 2022.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE