

United States District Court
Southern District of Texas

ENTERED

March 27, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

JAMES K. CHAMBERS

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VS.

MISC. ACTION NO. 7:15-MC-137

J. NABAREZ, *et al.*

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is Plaintiff James K. Chambers’ 42 U.S.C. § 1983 civil rights action, which had been referred to the Magistrate Court for a report and recommendation. On February 21, 2019, the Magistrate Court issued the Report and Recommendation, recommending that Plaintiff’s § 1983 action be **DISMISSED** without prejudice. 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.¹ Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby **ORDERED** that Plaintiff’s § 1983 action be **DISMISSED** without prejudice.

SO ORDERED this 27th day of March, 2019, at McAllen, Texas.



Randy Crane
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 States Service Auto. Ass’n*, 79 F.3d 145, 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 P. 72(b) advisory committee’s note (1983)) *superseded by statute on other grounds by* 28 U.S.C. § 636(b)(1), *as stated in ACS Recovery Servs., Inc. v. Griffin*, No. 11-40446, 2012 WL 1071216, at *7 n. 5 (5th Cir.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).