

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

KENNETH ALLEN PRUITT,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR., et al.

Defendants.

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CIVIL ACTION NO. 9:21-CV-00013-RC-ZJH

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

On January 19, 2021, the court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for pre-trial management. Pending before the court are Plaintiff Kenneth Allen Pruitt's "Motions for Temporary Restraining Order and Injunctive or Declaratory Relief." Doc. Nos. 2, 19, 39. On August 26, 2021, Judge Hawthorn issued a Report and Recommendation in which he recommended that Plaintiff's motions be denied. Doc. No. 49. On September 2, 2021, Plaintiff filed objections to Judge Hawthorn's Report and Recommendation. Doc. No. 50.

A party who files timely written objections to a magistrate judge's report and recommendation is entitled to a *de novo* determination of those findings or recommendations to which the party specifically objects. 28 U.S.C. § 636(b)(1)(c); FED. R. CIV. P. 72(b)(2)–(3). "Parties filing objections must specifically identify those findings [to which they object]. Frivolous, conclusive or general objections need not be considered by the district court." *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglas v. United Servs. Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

The court has conducted a *de novo* review of the magistrate judge's report and recommendation and has carefully considered Plaintiff's objections. Plaintiff has failed to establish any of the necessary elements for a temporary restraining order. The court finds that the magistrate judge's conclusions are correct, and that Plaintiff's objections are without merit.

It is, therefore, **ORDERED** that Plaintiff's objections (Doc. No. 50) are **OVERRULED**, and the magistrate judge's report and recommendation (Doc. No. 49) is **ADOPTED**. Plaintiff Kenneth Allen Pruitt's "Motions for Temporary Restraining Order and Injunctive or Declaratory Relief" (Doc. Nos. 2, 19, 39) are **DENIED**.

So ORDERED and SIGNED, Sep 17, 2021.



Ron Clark
Senior Judge