

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

WILLIAM LEE,

Plaintiff,

v.

NICOLE MCGUIRE, *et al.*,

Defendants.

No. 1:20-CV-00058-H

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation that the Court should (1) grant summary judgment as to Defendant WTC MHMR Company, (2) grant summary judgment on qualified immunity as to Defendants Patsy Villa, George Gutierrez, and Allison Payne, and (3) deny summary judgment and qualified immunity as to Defendant Nicole McGuire. The Magistrate Judge recommended that the Court enter a scheduling order to govern discovery and further proceedings for Plaintiff's remaining claim against Defendant McGuire. No objections were filed. The District Court independently examined the record and reviewed the findings, conclusions, and recommendation for plain error. Finding none, the Court accepts and adopts the findings, conclusions, and recommendations of the United States Magistrate Judge.

As a result, the Court orders:

1. Defendants Gutierrez and Villa's motion for summary judgment, Dkt. No. 78, is granted, and Plaintiff's claims against them are dismissed with prejudice.

2. Defendants Payne and WTC MHMR Company's motion for summary judgment, Dkt. No. 83, is granted, and Plaintiff's claims against them are dismissed with prejudice.


3. There is no just reason for delay in entering a final judgment and final judgment should be entered as to the above-named Defendants and claims under Federal Rule of Civil Procedure 54(b). The Court will enter judgment accordingly.

4. Defendant McGuire's motion for summary judgment, Dkt. No. 81, is denied.

5. The caption of this case will be changed to reflect that Nicole McGuire is the only remaining defendant. The Court will enter a separate scheduling order setting forth deadlines for completion of discovery and other pretrial matters.

So ordered.

Dated August 28, 2024.



JAMES WESLEY HENDRIX
United States District Judge