

United States Court of Appeals  
for the Fifth Circuit

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 16, 2021

Lyle W. Cayce  
Clerk

MICHAEL GEOFFREY PETERS,

*Plaintiff—Appellant,*

*versus*

THE STATE OF TEXAS; CITY OF HOUSTON; LINEBARGER  
GOGGAN BLAIR & SAMPSON, L.L.P.,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:20-CV-2044

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CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of March 16, 2021, for want of prosecution. The appellant failed to timely pay the filing fee.

No. 20-20481

LYLE W. CAYCE  
Clerk of the United States Court  
of Appeals for the Fifth Circuit

*Christina Rachal*

By: \_\_\_\_\_  
Christina C. Rachal, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

**ENTERED**

May 21, 2021

Nathan Ochsner, Clerk

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

MICHAEL GEOFFREY PETERS, §  
TDCJ #02019190, §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. H-19-3808  
§  
CATHY BUSA and BARBARA ADAMICK, §  
§  
Defendants. §

ORDER

On January 16, 2020, the Court dismissed this civil rights complaint filed by Plaintiff Michael Geoffrey Peters (TDCJ #02029190) without prejudice under Federal Rule of Civil Procedure 4(m) because he failed to serve the Defendants, Barbara Adamick and Cathy Busa. See Docket Entry No. 45. On March 28, 2020, the Court denied Peters's post-judgment motions, concluding that reopening this case would be futile because it is barred by Heck v. Humphrey, 114 S. Ct. 2364, 2372 (1994). See Docket Entry No. 50. Pending is the plaintiff's "Motion to Dismiss." See Docket Entry No. 52.

As explained above, this case was dismissed without prejudice on January 16, 2020, see Docket Entry No. 45, and the Court subsequently determined that reopening the case would be futile as

barred under Heck. Nothing in Plaintiff's motion alters the Court's conclusion that its previous Orders were correct.

Therefore, it is hereby

**ORDERED** that the pending Motion to Dismiss (Docket Entry No. 52) is **DENIED as MOOT** in this closed case.

The Clerk will enter this Order, providing a correct copy to all parties of record.

SIGNED at Houston, Texas, on this 21<sup>st</sup> day of May,  
2021.

  
\_\_\_\_\_  
EWIN G WERLEIN, JR.  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

**NOTICE OF CASE FILING**

Date Case filed: **May 24, 2021**

Style of Case: **Michael G Peters**  
**v.**  
**Dinzh Huffman , et al.**

Case number: **3:21-cv-00124**

District Judge assigned: **Judge Jeffrey V. Brown**

Nature of Claim: **Civil Rights NOS 550**

**Your case has been filed as a Prisoner Civil Rights Complaint.**

*Please write or type the civil action number on the front of all letters and documents.  
Address all mail to:*

**United States District Clerk's Office  
601 Rosenberg Street  
Galveston, TX 77550**

*The case will be handled in the ordinary course of the Court's work. Writing to the Court to ask about your case will only SLOW the process.*

Date: May 24, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

**NOTICE OF CASE FILING**

Date Case filed: **May 20, 2021**

Style of Case: **Michael G. Peters**  
**v.**  
**Shimon Lazaroff, et al.**

Case number: **3:21-cv-00120**

District Judge assigned: **Judge Jeffrey V. Brown**

Nature of Claim: **Civil Rights NOS 550**

**Your case has been filed as a Prisoner Civil Rights Complaint.**

*Please write or type the civil action number on the front of all letters and documents.  
Address all mail to:*

**United States District Clerk's Office  
601 Rosenberg Street  
Galveston, TX 77550**

*The case will be handled in the ordinary course of the Court's work. Writing to the  
Court to ask about your case will only SLOW the process.*

Date: May 20, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

**NOTICE OF CASE FILING**

Date Case filed: **May 20, 2021**

Style of Case: **Michael G. Peters**  
**v.**  
**Texas Dept. of Criminal Justice, et al.**

Case number: **3:21-cv-00119**

District Judge assigned: **Judge Jeffrey V. Brown**

Nature of Claim: **Civil Rights NOS 550**

**Your case has been filed as a Prisoner Civil Rights Complaint.**

*Please write or type the civil action number on the front of all letters and documents.  
Address all mail to:*

**United States District Clerk's Office  
601 Rosenberg Street  
Galveston, TX 77550**

*The case will be handled in the ordinary course of the Court's work. Writing to the  
Court to ask about your case will only SLOW the process.*

Date: May 20, 2021

Nathan Ochsner, Clerk