

United States Court of Appeals  
for the Fifth Circuit

---

No. 19-20715

---

United States Court of Appeals  
Fifth Circuit

**FILED**

March 24, 2021

Lyle W. Cayce  
Clerk

NOE GERARDO MORIN,

*Petitioner—Appellant,*

*versus*

BOBBY LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

*Respondent—Appellee.*

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:17-CV-2045

---

ORDER:

IT IS ORDERED that the Appellant's motion for certificate of appealability is DENIED.

IT IS FURTHER ORDERED that the Appellant's motion to proceed in forma pauperis is GRANTED.

/s/ James E. Graves, Jr.

---

JAMES E. GRAVES, JR.  
*United States Circuit Judge*

APPENDIX A

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS  
United States District Court  
Southern District of Texas

**ENTERED**

September 13, 2019

David J. Bradley, Clerk

Noe Gerardo Morin.,

§

Petitioner,

§

§

v.

§

Civil Action H-17-2045

§

Lorie Davis,

§

Director, Texas Department

§

of Criminal Justice, Correctional

§

Institutions Division,

§

Respondent.

§

### Order of Adoption

On August 21, 2019, Magistrate Judge Peter Bray filed a memorandum and recommendation (27) recommending that the court deny Noe Morin's petition for writ of habeas corpus. Morin filed objections. (28) The court denies Morin's objections and adopts the memorandum and recommendation as its memorandum and opinion. The court will issue a separate final judgment.

Signed September 13, 2019, at Houston, Texas.



Lynn N. Hughes  
United States District Judge

APPENDIX B