

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

NELCINA MOORE ET AL. * **CIVIL ACTION NO. 16-1477**

VERSUS * **JUDGE ROBERT G. JAMES**

SPIRIT COMMERCIAL AUTO RISK RETENTION GROUP ET AL. * **MAG. JUDGE KAREN L. HAYES**

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED that the motion to dismiss for insufficient service of process, FED. R. CIV. P. 12(b)(5) [Doc. No. 3], filed by Defendants, Spirit Commercial Auto Risk Retention Group, Eduard Sirbu, and Orozco Trucking, Inc., is GRANTED as to defendant Orozco Trucking Inc. and that Plaintiffs' petition against Orozco is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the motion to dismiss is DENIED as to Defendants Eduard Sirbu and Spirit Commercial Auto Risk Retention Group.

THUS DONE AND SIGNED in chambers, Monroe, Louisiana, this 2nd day of March, 2017.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE