

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

**LARRY HENRY, SR. and
DEBRA HENRY, individually and on
behalf of all others similarly situated**

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v.

1:13-CV-354

**HSBC BANK USA, N.A., as Trustee for
Wells Fargo Home Equity Asset-Backed
Securities 2006-1 Trust, and
WELLS FARGO BANK, N.A.**

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

The court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for pretrial proceedings. (Doc. No. 14.) Pending before the court is the Defendants’ “Motion to Dismiss.” (Doc. No. 40.) The court has received and considered the report and recommendation of the magistrate judge (Doc. No. 57), recommending that the court grant the Defendants’ motion. No objections were filed to the magistrate judge’s report and recommendation, and the time for doing so has passed.

It is therefore **ORDERED** that the magistrate judge’s report and recommendation (Doc. No. 57) is **ADOPTED**; and the Defendants’ “Motion to Dismiss” (Doc. No. 40) is **GRANTED**. Plaintiffs Larry Henry Sr. and Debra Henry’s claims are dismissed with prejudice. The unnamed class members’ claims are dismissed without prejudice.

So **ORDERED** and **SIGNED** this **11** day of **September, 2014**.



Ron Clark, United States District Judge