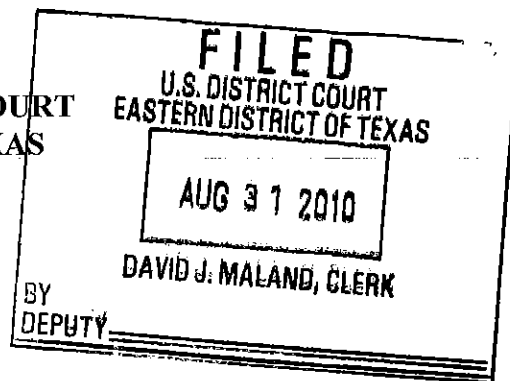


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION



M.L. and B.L., as next friends of  
Z.L., a minor child,

Plaintiffs,

v.

FRISCO INDEPENDENT  
SCHOOL DISTRICT,

Defendant.

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Civil Action No. 4:09cv392

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 15, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Frisco Independent School District's Fed. R. Civ. P. 12(b)(1) Motion to Dismiss for Lack of Subject Matter Jurisdiction (Dkt. 5) be GRANTED and this case be dismissed without prejudice for want of jurisdiction.

The court, having made a *de novo* review of the objections raised by Plaintiffs, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiffs are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Frisco Independent School District's Fed. R. Civ. P. 12(b)(1) Motion to Dismiss for Lack of Subject Matter Jurisdiction (Dkt. 5) is GRANTED, and this case is dismissed without prejudice for want of jurisdiction.

**IT IS SO ORDERED.**

SIGNED this 31<sup>st</sup> day of Aug., 2010.



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE