

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MONICA EDIE JONES and  
WILLIAM WADE JONES

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CASE NO. 4:09cv478  
(Judge Schneider/Judge Mazzant)

DAN JOSEPH HOFFMAN, ET AL.

## 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 July 29, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiffs' case should be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that this case is dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b)

**IT IS SO ORDERED.**

**SIGNED this 30th day of August, 2010.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE