

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BOBBY COLE, WILLIAM LANCING	§	
HAYNES, and ALLEN WEST	§	
	§	
v.	§	Case No. 4:09-CV-651
	§	Judge Schneider/Judge Mazzant
BRENDA MAMMEL, LASHON ROSS,	§	
DAN THOMPSON, and HUGO ESPARZA	§	

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 November 12, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants Lashon Ross, Hugo Esparza, and Dan Thompson’s First Amended Motion for Judgment on the Pleadings, Motion for Summary Judgment and No-Evidence Motion for Summary Judgment (Dkt. #73) should be **GRANTED** and the case should be **REMANDED** to the 429th Judicial District Court, Collin County, Texas

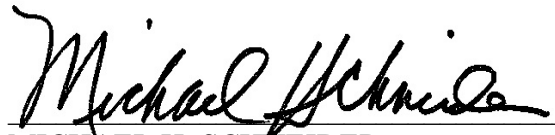
The Court, having made a *de novo* review of the objections raised by Plaintiffs, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the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

It is, therefore, **ORDERED** that Defendants Lashon Ross, Hugo Esparza, and Dan Thompson’s First Amended Motion for Judgment on the Pleadings, Motion for Summary Judgment and No-Evidence Motion for Summary Judgment (Dkt. #73) is **GRANTED**. Plaintiffs’ causes of action for denial of due process and invasion of privacy in violation of the Fourteenth Amendment are dismissed with prejudice.

The Court declines to exercise supplemental jurisdiction over the remaining state law claims now that all of the federal claims against the moving Defendants have been dismissed. 28 U.S.C. § 1367(c)(3). It is therefore **ORDERED** that the case is **REMANDED** to the 429th Judicial District Court, Collin County, Texas.

IT IS SO ORDERED.

SIGNED this 7th day of December, 2010.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a large initial "M".

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE