

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

PEGGY ANGLE

Plaintiff,

VS.

MORTGAGE ELECTRONIC

REGISTRATION SYSTEMS, INC., et al.

Defendants.

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Case No. 4:11cv352

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

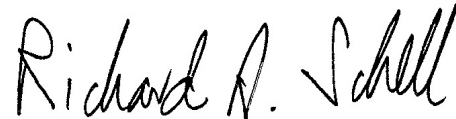
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 26, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Certain Defendants’ Motion to Dismiss (Dkt. 11) be GRANTED and that the claims against Defendants Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP (“BAC”) and Mortgage Electronic Registration Systems, Inc. (improperly sued as “Mortgage Electronic Registration Systems, Inc. As Nominee For lender And Lender’s Successors And Assigns”) (“MERS”) be dismissed for failure to state a claim. The report further recommended that Plaintiff’s claims against any unserved Defendants be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m), that final judgment be entered for the appearing Defendants, and that the case be dismissed.

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. Therefore, Certain Defendants' Motion to Dismiss (Dkt. 11) is GRANTED and the claims against Defendants Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP ("BAC") and Mortgage Electronic Registration Systems, Inc. (improperly sued as "Mortgage Electronic Registration Systems, Inc. As Nominee For lender And Lender's Successors And Assigns") ("MERS") are dismissed for failure to state a claim. Further, Plaintiff's claims against any unserved Defendants are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m) and final judgment shall be entered dismissing the case.

IT IS SO ORDERED.

SIGNED this the 30th day of March, 2012.

Handwritten signature of Richard A. Schell in black ink, written in a cursive style.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE