

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JAMES EDWARD WILLARD, JR and	§	
PATRICIA WILLARD	§	
	§	
V.	§	CASE NO. 4:11-CV-844
	§	Judge Schneider/Judge Mazzant
DEUTSCHE BANK NATIONAL TRUST	§	
COMPANY, TRUSTEE, ON BEHALF	§	
OF THE CERTIFICATE HOLDERS OF	§	
MORGAN STANLEY ABS CAPITAL	§	
INC. TRUST 2004-NC2, MORTGAGE	§	
PASS THROUGH CERTIFICATE	§	
SERIES 2004-NC2, BANK OF	§	
AMERICA, N.A, AS SUCCESSOR BY	§	
MERGER TO BAC HOME LOANS	§	
SERVICING, L.P	§	

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 February 21, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Dismiss (Dkt. #8) be granted.

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 Defendants' Motion to Dismiss (Dkt. #8) is GRANTED and

Plaintiffs' claims are DISMISSED with prejudice.

It is SO ORDERED.

SIGNED this 14th day of March, 2012.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE