

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

ROBERT JACOBSEN and ALISE	§	
MALIKYAR	§	
	§	
v.	§	Case No. 4:12cv116
	§	
BANK OF AMERICA, et al.	§	

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE AND  
ORDER DISMISSING CASE**

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 March 6, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that *Pro Se* Plaintiffs' Emergency Motion for a Temporary Restraining Order (Dkt. 6) be DENIED.

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, *Pro Se* Plaintiffs' Emergency Motion for a Temporary Restraining Order (Dkt. 6) is DENIED.


Moreover, since the entry of the report and recommendations, *Pro Se* Plaintiffs have filed a Notice of Dismissal Without Prejudice in accordance with Rule 41 (*see* Dkt. 20). There being no

objection to such notice and in accordance with Federal Rule of Civil Procedure 41, all claims and causes of action asserted herein by Plaintiffs are hereby DISMISSED WITHOUT PREJUDICE.

The matter shall be closed on the court's docket, and all costs shall be borne by the party incurring same.

**IT IS SO ORDERED.**

**SIGNED this the 6th day of June, 2012.**

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE