

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

PATRIOT BANK

Plaintiff,

VS.

FELICIA MONROE

Defendant.

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Case No. 4:12cv235

**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 April 27, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendation that Plaintiff’s Motion to Remand and Request for Expedited Ruling (Dkt. 3) be GRANTED and this case be remanded to the 416th Judicial District Court, Collin County, Texas for further proceedings.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed,¹ 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

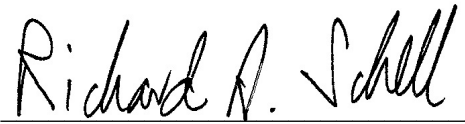
¹ The court notes that, according to the record herein, the report and recommendation was sent to the *pro se* Defendant at the address she provided via certified mail. Attempts were made to deliver the certified mail copy on May 2, May 8 and May 18, 2012, but Defendant apparently did not claim the mail. *See* Dkt. 6. It is Defendant’s responsibility to claim all mail sent and to provide the court with an updated address. Because a copy of the report and recommendation was also sent via first class mail on April 27, 2012, and such mail has not been returned, Defendant is deemed served.

of the court.

Therefore, Plaintiff's Motion to Remand and Request for Expedited Ruling (Dkt. 3) is GRANTED and this case shall be remanded to the 416 Judicial District Court of Collin County, Texas for further proceedings.

IT IS SO ORDERED.

SIGNED this the 13th day of July, 2012.

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

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE