

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

BARBARA JOHAN DINGLER, ET AL.

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CASE NO. 4:12CV471

v.

CHILD PROTECTIVE SERVICES, ET AL.

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND
ORDER DISMISSING CASE FOR WANT OF JURISDICTION**

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 October 26, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and a recommendation that the above titled and numbered cause of action be **DISMISSED WITHOUT PREJUDICE** for want of jurisdiction.

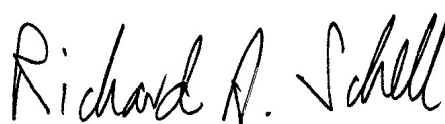
The court has made a *de novo* review of the record and the amended pleading filed by Plaintiff (*see* Dkt. 10) and finds that the pleading does not cure the jurisdictional defects identified by the Magistrate Judge. The court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and not altered by Plaintiff's amendment. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, the above titled and numbered cause of action is **DISMISSED WITHOUT PREJUDICE** for want of jurisdiction.

The matter shall be closed on the court's docket.

IT IS SO ORDERED.

SIGNED this the 28th day of March, 2013.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE