

**\*\*NOT FOR PRINTED PUBLICATION\*\***

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

EVERBANK,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Case No. 4:12cv744
	§	(Judge Clark/Judge Mazzant)
RICKEY BATES,	§	
	§	
<i>Defendant.</i>	§	

**ORDER 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 24, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff’s Motion to Remand [Doc. #3] be granted and the case remanded to County Court at Law No. 2 for Denton County, Texas. The Court further recommended that defendant pay plaintiff’s reasonable attorney’s fees.

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 Plaintiff’s Motion to Remand [Doc. #3] is granted, and this case is remanded to County Court at Law No. 2 for Denton County, Texas.

It is further **ORDERED** that defendant shall pay plaintiff's attorney's fees in the amount of \$275.00, as set forth in the Supplemental Declaration of Sarah S. Robbins [Doc. #6].

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** this **4** day of **April, 2013**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge