

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

**ANTHONY L. SPENCE**

**Plaintiff,**

**VS.**

**ARGENT MORTGAGE  
COMPANY, LLC, et al.**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**Case No. 4:13cv512**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND  
ORDER OF DISMISSAL**

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 May 27, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff’s Motion for Default Judgment (Dkt. 25) be DENIED, that Defendants’ Motion to Dismiss Complaint (Dkt. 9) be GRANTED, and that this case be dismissed without prejudice for want of prosecution.

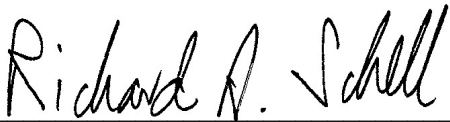
The court has made a *de novo* review of the objections raised by Plaintiff and of Defendants’ response and is of the opinion that the conclusion of the Magistrate Judge on dismissal is correct and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the conclusion of the Magistrate Judge regarding dismissal of this case for want of prosecution.

Therefore, Plaintiff's Motion for Default Judgment (Dkt. 25) is DENIED, Defendants' Motion to Dismiss Complaint (Dkt. 9) is GRANTED, and this case is dismissed without prejudice for want of prosecution.

The case 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 29th day of September, 2014.**

Handwritten signature of Richard A. Schell in cursive script.

---

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE