

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

**ROBERT WALLACE  
and MICHELLE WALLACE**

**Plaintiffs,**

**VS.**

**U.S. BANK NATIONAL ASSOCIATION  
as Trustee, Successor in Interest to BANK  
OF AMERICA, et al.**

**Defendants.**

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**Case No. 4:14CV521**

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

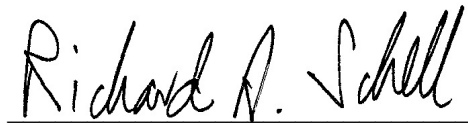
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On December 22, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants’ Motion to Dismiss Under Rule 12(b)(6) (Dkt. 8) be GRANTED, that Plaintiffs take nothing by any of their claims against Defendants, and that this matter be closed on the court’s docket.

The court has made a *de novo* review of the objections raised by Plaintiffs, as well as Defendants’ response, and is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Defendants' Motion to Dismiss Under Rule 12(b)(6) (Dkt. 8) is GRANTED, and Plaintiffs shall take nothing by any of their claims against Defendants. This 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 31st day of March, 2015.**

Handwritten signature of Richard A. Schell in cursive script.

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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE