

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SHELLEY SONIAT,	§	
	§	
	§	Civil Action No. 4:17-CV-00166
v.	§	(Judge Mazzant/Judge Johnson)
	§	
TEXAS REAL ESTATE COMMISSION,	§	
TEXAS ASSOCIATION OF REALTORS,	§	
NATIONAL ASSOCIATION OF	§	
REALTORS,	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF 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 Magistrate Judge pursuant to 28 U.S.C. § 636. On April 21, 2017, the report of the Magistrate Judge (Dkt. #14) was entered containing proposed findings of fact and recommendations that Defendants National Association of Realtors (“NAR”) and Texas Association of Realtors’ (“TAR’s”) Motion to Dismiss (Dkt. #4) be granted. The Magistrate Judge recommended *pro se* Plaintiff Shelley Soniat’s claims to be dismissed against NAR and TAR because Plaintiff seeks an impermissible advisory opinion, the Court lacks subject matter jurisdiction over the case, and Plaintiff failed to state a claim upon which relief can be granted against NAR and TAR.

Plaintiff’s only objection is that the Magistrate Judge entered the report two (2) days after Defendant Texas Real Estate Commission (“TREC”) filed its Motion to Dismiss (Dkt. #13). Plaintiff complains that she was not given the opportunity to respond to TREC’s motion. However, the report entered on April 21, 2017, does not concern the claims Plaintiff has against TREC. Plaintiff still has an opportunity to respond to the arguments TREC has set forth. Because Plaintiff

has not specifically objected to any of the Magistrate Judge's findings dismissing the case against NAR and TAR, the Court finds Plaintiff's objections are overruled.

Having received the report of the United States Magistrate Judge, having considered each of Plaintiff's timely filed objections (Dkt. #22), and having conducted a de novo review, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report (Dkt. #14) as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendants NAR and TAR's Motion to Dismiss (Dkt. #4) is **GRANTED**, and Plaintiff's claims against Defendants NAR and TAR are **DISMISSED** with prejudice.

IT IS SO ORDERED.

SIGNED this 12th day of May, 2017.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE