

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

STATE FARM INSURANCE COMPANY §

Plaintiff §

V. §

PHILIP EDWARD HOOKS, Executor §

of the Estate of Norma Wherry, Deceased, §

BRENDA PRUITT LEVELLS, and §

JEROME LEAKE, Individually and as §

Guardian of M.L., J.L., and J.L., Minors §

Defendants §

No. 5:07CV109

ORDER

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections have been filed to the Report and Recommendation.

The Court is of the opinion the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. The Court further approves the following modified schedule of distributions of the annuity for Mya Joy Leake:

Distribution Amount

Distribution Date

Fifty Percent (50%) of the case surrender value

August 15, 2014

The remaining balance

April 27, 2014

Accordingly, it is hereby

ORDERED that Motion Request to Release Funds (Dkt. No. 58) and Supplemental Motion

to Release Funds (Dkt. No. 59) are **GRANTED**. It is further

ORDERED that ING USA Annuity and Life Insurance Company release half of the cash surrender value of Mya Joy Leake's annuity (contract # 90285803) on August 15, 2014 and the other half on April 27, 2017.

It is SO ORDERED.

SIGNED this 15th day of August, 2014.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE