

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

**KAREN ENDSLEY, INDIVIDUALLY §
AND AS INDEPENDENT EXECUTRIX §
FOR THE ESTATE OF MICHAEL R. §
ENDSLEY §
V. §
GREEN TREE SERVICING LLC §**

Case No. 5:15-CV-151-RWS-CMC

MEMORANDUM ORDER

The above-entitled and numbered civil action was referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge (Docket No. 40), which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The Magistrate Judge issued the Report and Recommendation on February 8, 2017, recommending Defendant’s motion for summary judgment be granted and that Plaintiff’s cause of action be dismissed with prejudice because (1) Defendant was not estopped from foreclosing on the disputed property, (2) foreclosure was not barred by limitations, (3) Defendant has standing to foreclose, (4) Plaintiff failed to allege any facts to support her claim to quiet title, and (5) Defendant conclusively established that Plaintiff defaulted on a loan secured by a lien and that Plaintiff had been given proper notice of default.

On February 28, 2017, Plaintiff, proceeding pro se, filed a motion for extension of time in which to file objections to the Report and Recommendation. On March 3, the Court granted Plaintiff’s motion, allowing Plaintiff until March 9 to file any objections she might have to the Report and Recommendation. Plaintiff was advised that failure to timely file objections to the proposed findings and recommendations contained in the Report and Recommendation would bar

Plaintiff from de novo review by the district court of the proposed findings and recommendations and from appellate review of factual findings accepted or adopted by the district court except on grounds of plain error or manifest injustice. *Thomas v. Arn*, 474 U.S. 140, 148 (1985).

It has been over one month since the Magistrate Judge issued her Report and Recommendation, and no objections to the Report and Recommendation have been filed. The Court is of the opinion that 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. Accordingly, it is hereby

ORDERED that Defendant's Motion for Summary Judgment (Docket No. 21) is **GRANTED**. It is further

ORDERED that Plaintiff's above-entitled and numbered cause of action is hereby **DISMISSED WITH PREJUDICE**.

SIGNED this 8th day of May, 2017.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE