

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

**MARY E. CID**

§

**V.**

§

**9:12-CV-192**

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**DEUTSCHE BANK NATIONAL TRUST  
COMPANY AS INDENTURE TRUSTEE  
ON BEHALF OF THE HOLDERS OF  
THE ACCREDITED MORTGAGE  
LOAN TRUST 2006-2 ASSET BACKED  
NOTES, AND SELECT PORTFOLIO  
SERVICING, INC.**

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**ORDER OVERRULING OBJECTIONS AND ADOPTING MAGISTRATE JUDGE’S  
REPORT AND RECOMMENDATION**

On October 1, 2013, this *pro se* wrongful foreclosure action was referred for all pretrial matters to United States Magistrate Judge Zack Hawthorn. On March 13, 2014, the magistrate judge filed his report (Doc. No. 28), recommending that this court grant the Defendants’ motion for summary judgment. (Doc. No. 9.) On April 7, 2014, the Plaintiff filed timely objections to the report and recommendation. (Doc. No. 30.)

A party who files timely written objections to a magistrate judge’s report and recommendation is entitled to a *de novo* determination of those findings or recommendations to which the party specifically objects. 28 U.S.C. § 636(b)(1)(c) (Supp. IV 2011); Fed. R. Civ. P. 72(b)(2)–(3). “Parties filing objections must specifically identify those findings [to which they object]. Frivolous, conclusive or general objections need not be considered by the district court.” Nettles v. Wainwright, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), overruled on other grounds by Douglass v. United Servs. Auto. Ass’n, 79 F.3d 1415 (5th Cir. 1996) (en banc).

The Plaintiff’s objections seek to clarify the amount she owes the loan servicer and complain that the loan servicer failed to provide her with accurate monthly mortgage statements.

She also claims her home has increased in value. These objections are irrelevant and fail to identify any specific issue of law or fact among those set forth in the magistrate judge's report and recommendation with which the Plaintiff disagrees. Thus, the Plaintiff's objections fail to invoke her right to a *de novo* review of the report and recommendation. See Nettles, 677 F.2d at 410 n.8.

Nonetheless, the court has undertaken a *de novo* review of the report and recommendation, and the court concludes that the magistrate judge's findings and conclusions are correct. See Douglass, 79 F.3d at 1429 (noting that a district court may alternatively find the magistrate judge's findings and conclusions were correct even though a party did not properly object to the report and recommendation).

It is, therefore, **ORDERED** that Cid's objections (Doc. No. 30) are **OVERRULED**; the magistrate judge's report and recommendation (Doc. No. 28) is **ADOPTED**; the Defendants' motion for summary judgment (Doc. No. 9) is **GRANTED**; and Cid's claims are **DISMISSED WITH PREJUDICE**.

So **ORDERED** and **SIGNED** this **14** day of **April, 2014**.



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Ron Clark, United States District Judge