

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**ANTHONY T. DUNCAN,**

Plaintiff,

v.

**CITIMORTGAGE, INC. AND  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,**

Defendants.

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Civil Action No. **3:12-CV-2652-L**

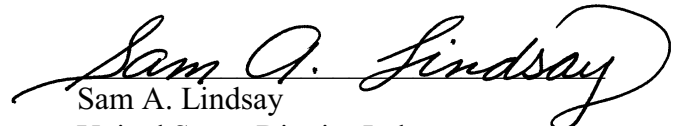
**ORDER**

Before the court is Defendants’ Rule 12(b)(6) Motion to Dismiss Plaintiff’s Amended Complaint (Doc. 13), filed April 22, 2013. Defendants’ Motion to Dismiss Plaintiff’s Amended Complaint in this mortgage foreclosure case was referred to Magistrate Judge Paul D. Stickney, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on December 17, 2013, recommending that Defendants’ motion be granted and Plaintiff’s claims be dismissed with prejudice. Plaintiff filed objections to the Report on December 30, 2013, to which Defendants responded on January 21, 2014.

After carefully considering Defendants’ motion, the documents attached to Defendants’ motion that are referred to in Plaintiff’s Complaint and central to his claims, Plaintiff’s response, Defendants’ reply, the pleadings, Report, Plaintiff’s objections, Defendants’ response to the objections, and the applicable law, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **overrules** Plaintiff’s objections, **grants** Defendants’ Rule 12(b)(6) Motion to Dismiss Plaintiff’s

Amended Complaint (Doc. 13), and **dismisses** this action **with prejudice** pursuant to Federal Rule of Civil Procedure 12(b)(6).

**It is so ordered** this 28th day of March, 2014.

  
Sam A. Lindsay  
United States District Judge