

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

TEXAS UNITED HOUSING PROGRAM, INC.,	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:17-CV-977-L
	§	
DON H. KONIPOLAS TRUSTEE OF WOLVERINE MORTGAGE PARTNER RETIREMENT, <i>et al.</i>,	§	
	§	
	§	
Defendants.	§	

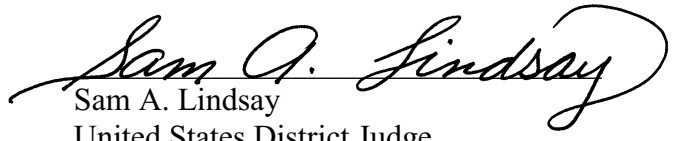
ORDER

On August 1, 2017, United States Magistrate Judge David L. Horan entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court grant Defendants’ Motion to Refer Case to Bankruptcy Court (Doc. 7), filed April 10, 2017, and refer this case to the bankruptcy court where a related bankruptcy proceeding is pending. The magistrate judge further determined that the bankruptcy court was in the best decision to decide Defendant’s Motion to Dismiss Claims Under Rule 12(b) (Doc. 9), filed May 1, 2017, which implicates the bankruptcy court’s prior orders in the related bankruptcy proceeding. No objections to the Report were filed.

Having reviewed the pleadings, motions, briefs, file, record in this case, and Report, 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 **grants** Defendants’ Motion to Refer Case to Bankruptcy Court (Doc. 7), and, pursuant to this district’s Miscellaneous Order No. 33, **refers** this

action to the United States Bankruptcy Court, Northern District of Texas, where related bankruptcy proceeding *In re TXS United Housing Program, Inc.*, No. 14-34854-hdh11, is pending. Because the court has determined that referral of this action to the bankruptcy court is appropriate, it expresses no opinion regarding the merits of Defendant's Motion to Dismiss Claims Under Rule 12(b) (Doc. 9), and leaves the resolution of this motion for the bankruptcy court. As nothing remains for this court to decide at this juncture, the court **directs** the clerk to close this action.

It is so ordered this 30th day of August, 2017.


Sam A. Lindsay
United States District Judge