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

MONROE GUARANTY INSURANCE § COMPANY, § Plaintiff, § § v. § § **NEWTEX REALTY, LP,** Civil Action No. **3:18-CV-256-L (BT)** Defendant/Third-party Plaintiff, § § v. § IMA WALDMAN, Third-party Defendant.

ORDER

Before the court is Third-party Defendant IMA Waldman's Motion to Dismiss Defendant Newtex Realty, LP's Third-party Complaint Pursuant to Rule 12(b)(1) (Doc. 25), filed June 25, 2018. On March 4, 2019, United States Magistrate Judge Rebecca Rutherford entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report"), recommending that the motion be granted and Defendant/Third-party Plaintiff Newtex Realty, LP's Third-party Complaint be dismissed without prejudice. No objections to the Report were filed.

Having reviewed the record in this case, Report, and 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 **grants** Third-party Defendant IMA Waldman's Motion to Dismiss Defendant Newtex Realty, LP's Third-party Complaint Pursuant to Rule 12(b)(1) (Doc.

25), and **dismisses without prejudice** Defendant/Third-party Plaintiff Newtext Realty LP's Third-party Complaint (Doc. 14).

It is so ordered this 19th day of March, 2019.

Sam A. Lindsay

United States District Judge