

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

REWA C. HALTON, )  
 )  
 Plaintiff, )  
 )  
 VS. )  
 )  
 SELECT PORTFOLIO SERVICING, )  
 INC., MORTGAGE ELECTRONIC )  
 REGISTRATION SYSTEMS, INC., AND )  
 DOE INSURANCE COMPANY, )  
 )  
 Defendants. )

CIVIL ACTION NO.  
3:18-CV-0822-G (BT)

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The court has under consideration the findings, conclusions and recommendation of United States Magistrate Judge Rebecca Rutherford dated March 3, 2019. No objections were filed. The district court reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the court **ACCEPTS** the findings, conclusions, and recommendation of the United States Magistrate Judge.

It is therefore **ORDERED** that defendants Select Portfolio Servicing, Inc. (“SPS”) and Mortgage Electronic Registration Systems, Inc.’s (“MERS”) motion to dismiss (docket entry 9) is **GRANTED**. Plaintiff Rewa Halton’s claims against SPS and MERS for negligence and unjust enrichment, as well as her request for attorneys’

fees and for injunctive and declaratory relief, are **DISMISSED** with prejudice. Halton's claims against SPS and MERS for fraud, breach of contract, and quiet title/trespass to try title are **DISMISSED** without prejudice. Halton's claims against Doe Insurance Company and the Doe defendants should be **DISMISSED** without prejudice. The court **GRANTS** Halton leave to amend her complaint within 14 days of the entry of an order accepting the findings, conclusions, and recommendation of the United States Magistrate Judge. If Halton fails to file an amended complaint that cures the deficiencies identified, the court should dismiss those claims with prejudice.

**SO ORDERED.**

March 18, 2019.

  
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A. JOE FISH  
Senior United States District Judge