

United States District Court  
Southern District of Texas

**ENTERED**

January 31, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

JUAN CARLOS GARZA, *et al.*,  
Plaintiffs,

v.

JANIE BENNETT, *et al.*,  
Defendants.

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Civil Action No. 1:17-cv-00158

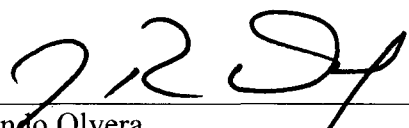
**ORDER ADOPTING REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE**

Before this Court is Juan Carlos Garza and Yolanda N. Lopez-Saldivar's (hereafter, collectively known as "Plaintiffs") "Petitioner's [sic] Assertion of Jurisdiction" (Docket No. 32); Janie Bennett, Norma A. Limon, Rex Tillerson, Ellaine Duke, Jeff Sessions, and the United States of America's (hereafter, collectively known as "Defendants") "Defendants' Reply to Plaintiffs' Response to the Court's August 21, 2017 Order" (Docket No. 33); and the "Report and Recommendation of the Magistrate Judge" (Docket No. 34) (hereafter "R&R").

The deadline to file written objections to the R&R (Docket No. 34) was November 13, 2017; no objections were filed on, or before said deadline. On January 2, 2018, Plaintiffs filed their "Opposed Motion for Leave to File Out of Time their Objections to U.S. Magistrate's Report and Recommendation" (Docket No. 36) (hereafter "Opposed Motion for Leave"). On January 18, 2018, a telephonic conference was held and after hearing the parties' arguments, the Court **DENIED** Plaintiffs' Opposed Motion for Leave. Consequently, Plaintiffs' objections to the R&R (Docket No. 34) were not considered in this Court's review of the record.

After a *do novo* review of the record, the R&R (Docket No. 34) is hereby **ADOPTED**. Plaintiffs' claims against Defendants are **DISMISSED** without prejudice for lack of jurisdiction. The Clerk of the Court is **ORDERED** to close this case.

Signed on this 31<sup>st</sup> day of January, 2018.

  
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Rolando Olvera  
United States District Judge