

United States District Court
Southern District of Texas

ENTERED

January 18, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JEMADARI CHINUA WILLIAMS,

Plaintiff,

V.

JOEL GAUNA, *et al*,

Defendants.

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CIVIL ACTION NO. 2:22-CV-0005

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Jason Libby’s Memorandum and Recommendation (“M&R”). (D.E. 49). The M&R recommends that the Court **DENY** Defendants Bryan Collier and Joel Gauna’s motion to dismiss, (D.E. 26), and Defendant Melanie Quiroga’s motion to dismiss, (D.E. 33). (D.E. 49, p. 1).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge’s M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge’s M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its

entirety. (D.E. 49). The Court **DENIES** Defendants Bryan Collier and Joel Gauna's motion to dismiss, (D.E. 26), and Defendant Melanie Quiroga's motion to dismiss, (D.E. 33).

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
January 18 2023