IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| DIAN | E SCHULTE, | S | | | | |
|------|---------------------------|---|-------|--------|-----|----------|
| | | S | | | | |
| | Plaintiff, | S | | | | |
| | | § | | | | |
| v. | | § | Misc. | Action | No. | H-12-527 |
| | | § | | | | |
| SEE | EXHIBITS "A" "B" "C" | § | | | | |
| "D" | and "E" AS DEFINED HEREIN | S | | | | |
| | | S | | | | |
| | Defendants. | ş | | | | |

ORDER OF DISMISSAL

In conformity with the Memorandum, Recommendation and Order, Doc. 9, and the Order Adopting Memorandum and Recommendation entered this date, this action is **DISMISSED** for failure to state a claim upon which relief can be granted.

SIGNED this 26# day of September, 2012, in Houston, Texas.

SIM LAKE UNITED STATES DISTRICT JUDGE