

United States District Court  
Southern District of Texas

**ENTERED**

March 16, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MAGDALENA ANAYA,

Plaintiff,

VS.

HOUSTON INDEPENDANT SCHOOL  
DISTRICT, *et al*,

Defendants.

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CIVIL ACTION NO. 4:14-CV-2065

**ORDER**

Before the Court is the Magistrate Court’s Memorandum and Recommendation Granting Defendants’ Second Partial Motion to Dismiss, filed on February 23, 2016 (Doc. #24). The time for filing objections has passed, and no objections have been filed. Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error. *See Cruz v. Colvin*, No. 7:14-CV-780, 2016 WL 728182, at \*1 (S.D. Tex. Feb. 24, 2016).<sup>1</sup> Finding no clear error, the Court adopts the Memorandum and Recommendation in its entirety. Accordingly, Defendants’ Second Partial Motion to Dismiss is GRANTED.

It is so ORDERED.

**MAR 15 2016**

Date

  
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THE HONORABLE ALFRED H. BENNETT  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> As noted by the Fifth Circuit, “[t]he advisory committee’s note to Rule 72(b) states that, ‘[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Douglas v. United Services Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (quoting Fed. R. Civ. P.72(b) advisory committee’s note (1983)) *superseded by statute on other grounds by* 28 U.S.C. § 636(b)(1), *as stated in ACS Recovery Servs., Inc v. Griffin*, No. 11-40446, 2012 WL 1071216, at \*7 n.5 (5th Cir. April 2, 2012).