

ENTERED

September 13, 2024

Nathan Ochsner, Clerk

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

KENNEDY F.	§	CIVIL ACTION NO
AMBROISE and PAUL	§	4:23-cv-04130
DOUGLAS CELESTINE,	§	
Plaintiffs,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
U.S. BANK TRUST	§	
NATIONAL	§	
ASSOCIATION and	§	
FAY SERVICING LLC,	§	
Defendants.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiffs, proceeding *pro se*, filed a complaint against Defendants to prevent foreclosure on real property. Dkt 1. The matter was referred to Magistrate Judge Christina A. Bryan. Dkt 4.

Pending is a Memorandum and Recommendation by Judge Bryan dated July 24, 2024. Dkt 14. She recommends that this case be dismissed with prejudice because Plaintiffs have no interest in the property that gives them a right to challenge foreclosure and their claims are barred by *res judicata*. Dkt 14.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989) (*per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v*

PPG Industries Inc, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996) (*en banc*); see also FRCP 72(b) advisory committee note (1983).

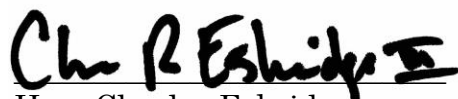
Plaintiffs' time for filing objections was extended to August 19, 2024. Dkt. 17. No party filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 14.

This case is DISMISSED WITH PREJUDICE.

SO ORDERED.

Signed on September 13, 2024, at Houston, Texas.

A handwritten signature in black ink that reads "Charles Eskridge". The signature is written in a cursive, slightly stylized font.

Hon. Charles Eskridge
United States District Judge