

ENTERED

September 08, 2023

Nathan Ochsner, Clerk

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

JAMES ENGLISH,

Plaintiff,

VS.

FREEDOM MORTGAGE
CORPORATION,

Defendant.

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3:23-cv-86

**ORDER ADOPTING MAGISTRATE JUDGE’S
MEMORANDUM AND RECOMMENDATION**

On March 21, 2023, all non-dispositive pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 6. Judge Edison filed a memorandum and recommendation on August 18, 2023, recommending that the defendant’s motion to dismiss (Dkt. 16) be granted, and that a document styled by the plaintiff as a “motion to dismiss” (Dkt. 25) be construed as a motion for leave to amend his complaint and be denied. Dkt. 28.


No objections have been filed to the memorandum and recommendation.¹ Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

¹ The plaintiff has filed two documents since Judge Edison issued his memorandum and recommendation. The first document has “Affidavit” hand-written at the top with a subject line: “Beneficiary’s Notice – Permission to Correct Discrepancies in Filed Documents.” Dkt. 30 at 1. Included in the document are various letters and documents addressed to Freedom Mortgage Company. *See id.* at 4–6. The second document is

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) the court approves and adopts Judge Edison's memorandum and recommendation (Dkt. 28) in its entirety as the holding of the court;
- (2) the court grants the defendant's motion to dismiss (Dkt. 16);
- (3) the court denies the plaintiff's motion for leave to amend his complaint (Dkt. 25); and
- (4) the court dismisses this matter with a final judgment to issue separately.

Signed on Galveston Island this 8th day of September 2023.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE

addressed to a Stanley Middleman with the title "Second Notice of Dispute Request for Verification & Validation of Mortgage Debt." Dkt. 31 at 1. Although both documents reference the case number of this case, neither document addresses Judge Edison's memorandum and recommendation, the substance thereof, or any of the pleadings in this matter. Thus, I do not consider either of these documents to be objections to Judge Edison's memorandum and recommendation.