

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KELLEN POWELL, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 U.S. DEPARTMENT OF STATE, *Executive* )  
 *Office, Office of the Legal Adviser,* )  
 )  
 Defendant. ) Civil Action No. 3:20-CV-1789-C-BN

**ORDER**

Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge therein advising the Court that Defendant's Motion to Dismiss should be granted pursuant to Federal Rule of Civil Procedure 12(b)(1).<sup>1</sup>

The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

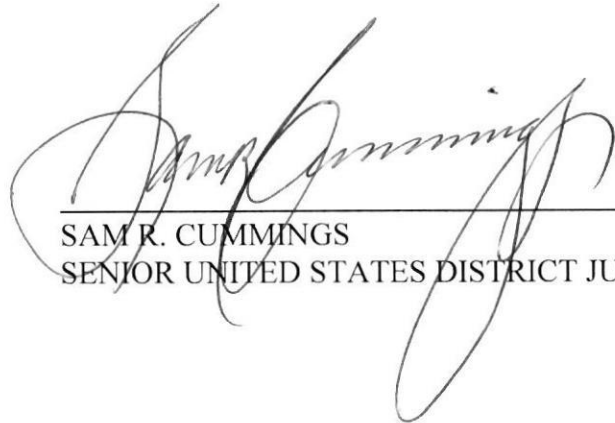
After due consideration and having conducted a *de novo* review, the Court finds that Plaintiff's objections should be **OVERRULED**. The Court has further conducted an independent review of the Magistrate Judge's findings and conclusions and finds no error. It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation are hereby

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<sup>1</sup> Plaintiff filed objections to the United States Magistrate Judge's Findings, Conclusions, and Recommendation on June 3

**ADOPTED** as the findings and conclusions of the Court. For the reasons stated therein, the Court **ORDERS** that Defendant's Motion to Dismiss be **GRANTED** pursuant to Federal Rule of Civil Procedure 12(b)(1) and Plaintiff's First Amended Complaint be **DISMISSED** without prejudice.

SO ORDERED this 14<sup>th</sup> day of June, 2021.



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SAM R. CUMMINGS  
SENIOR UNITED STATES DISTRICT JUDGE