

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
TEXAS, SHERMAN DIVISION

**Shereef Kamel v. Prosper-Parkside Homeowners Association, Inc., et  
al.**

Kamel · No. 4:25-cv-221-JDK-KNM · Decided February 27, 2026

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SUMMARY

The United States District Court for the Eastern District of Texas adopts a magistrate judge's report and recommendation concerning Defendant Vinay Patel's motion to dismiss. The court grants the motion in part and dismisses Plaintiff Shereef Kamel's claims against Patel with prejudice, including state-law claims under the attorney-immunity doctrine and federal claims for failure to state a claim.

OPINION

Kamel

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

SHEREEF KAMEL, §

§ Plaintiff, § § v. § Case No. 4:25-cv-221-JDK-KNM §

PROSPER-PARKSIDE §

HOMEOWNERS ASSOCIATION §

INC., et al., § § Defendants. §

ORDER ADOPTING REPORT AND RECOMMENDATION

OF UNITED STATES MAGISTRATE JUDGE

Before the Court is Defendant Vinay Patel's motion to dismiss under Rule 12(b)(1) and Rule 12(b)(6). Docket No. 17. This case was referred to United States Magistrate Judge K. Nicole Mitchell in accordance with 28 U.S.C. § 636. On February 11, 2026, Judge Mitchell issued a Report and Recommendation recommending that the motion to dismiss be granted in part. Docket No. 98. Judge Mitchell recommended that Plaintiff's state law claims against Defendant be dismissed with prejudice pursuant to the attorney-immunity doctrine. *Id.* Judge Mitchell further recommended that Plaintiff's federal claims be dismissed with prejudice for failure to state a claim under Rule 12(b)(6). *Id.* The Report did not reach Defendant's arguments that (1) the Court should decline to exercise supplemental jurisdiction over Plaintiff's state law claims, and (2) Plaintiff's complaint fails to properly state any of his claims arising under Texas law. *Id.* at 14. No written objections have been filed, and the time for filing objections has passed. This Court reviews the findings and

conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days). Here, no objections were filed. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Having reviewed the Magistrate Judge's Report and Recommendations, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby ADOPTS the Report and Recommendation of the United States Magistrate Judge (Docket No. 98) as the opinion of this Court. Defendant's motion to dismiss (Docket No. 17) is GRANTED in part, and Plaintiff's claims against Defendant Vinay Patel are DISMISSED with prejudice. So ORDERED and SIGNED this 27th day of February, 2026. C5, LHe  
UNITED STATES DISTRICT JUDGE