

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, AUSTIN DIVISION

**Wilmington Savings Fund Society, FSB, Not in Its Individual
Capacity but Solely as Certificate Trustee of Bosco Credit II Trust
Series 2010-1 v. Juvenal Rivera, Jr. and Marcy Rivera**

Wilmington Savings Fund Society v. Rivera · No. 1:25-CV-00826 · Decided December 10, 2025

SUMMARY

The United States District Court for the Western District of Texas adopted a magistrate judge's report and recommendation regarding the plaintiff's motion for attorney fees and costs. The court awarded \$3,730.00 in attorney and paralegal fees and \$760.95 in costs, specifying that the amounts were recoverable only as obligations under the Note and Deed of Trust and were not personal judgments against the defendants.

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION
WILMINGTON SAVINGS FUND § SOCIETY, FSB, NOT IN ITS § INDIVIDUAL CAPACITY
BUT § SOLELY AS CERTIFICATE § TRUSTEE OF BOSCO CREDIT II § TRUST SERIES
2010-1, § Plaintiff, § § v. § Case No. 1: 25-CV-00826 § JUVENAL RIVERA, JR. and § MARCY
RIVERA, § Defendants. § ORDER Before the Court is the report and recommendation of United
States Magistrate Judge Mark Lane.

Dkt. 16. The report and recommendation examined Plaintiff's Motion for Attorney Fees (Dkt. 14) and recommended the undersigned GRANT the Motion and also award Plaintiff costs as laid out in Plaintiff's Bill of Costs (Dkt. 15). Judge Lane issued the report and recommendation on November 3, 2025.

As of the date of this order, no party has filed objections to the report and recommendation. A party may file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation, thereby securing de novo review by the district court. 28 U.S.C. § 636(b)(1).

When no objections are timely filed, the Court reviews the magistrate judge's report and recommendation for clear error. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Because the parties have not filed timely objections, the Court has reviewed Judge Lane's report and recommendation for clear error.

Having found no such error, the Court finds that the report and recommendation should be adopted. Accordingly, the Report and Recommendation of the United States Magistrate Judge (Dkt. 16) is ADOPTED. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for Attorneys' Fees (Dkt. 13) is GRANTED. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff shall have and recover its attorneys' fees in the amount of \$2,780.00 and its paralegals' fees in the amount of \$950.00, totaling \$3,730.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff shall be awarded \$760.95 in costs, as laid out and supported in Dkt. 15. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that these fees and costs will not be a personal judgment against Defendants, but solely recoverable as a further obligation owed by the Defendants under the Note and Deed of Trust. SIGNED on December 10, 2025.

Dar On ALAN D ALBRIGHT UNITED STATES DISTRICT JUDGE