

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
TEXAS, SAN ANTONIO DIVISION**

**Eve Escobedo v. Rogelio Carlos Gonzalez**

Escobedo · No. SA-24-CV-01363-OLG · Decided December 8, 2025

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**OPINION**

FILED December 08, 2025 UNITED STATES DISTRICT COURT CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION BY: NM DEPUTY EVE ESCOBEDO, § Plaintiff,: v.: NO. SA-24-CV-01363-OLG ROGELIO CARLOS GONZALEZ,: Defendant.: ORDER ADOPTING REPORT AND RECOMMENDATION The Court has considered United States Magistrate Judge Richard B. Farrer’s Report and Recommendation (R&R), filed November 18, 2025, concerning Defendant’s Motion to Dismiss.

(See R&R, Dkt. No. 31.) A party who wishes to object to a Magistrate Judge’s findings and recommendations must serve and file specific written objections within 14 days. FED. R. Civ. P. 72(b)(2). Plaintiff, who is proceeding pro se, timely filed her objections on December 1, 2025. (See Dkt. No. 33.) When a party objects to an R&R, the Court must make a de novo determination as to “any part of the magistrate judge’s disposition that has been properly objected to.” FED.

R. Civ. P. 72(b)(3); see *United States v. Wilson*, 864 F.2d 1219, 1221 (Sth Cir. 1989), cert. denied, 492 U.S. 918 (1989). Objections must be specific; frivolous, conclusory, or general objections need not be considered by the district court. *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (Sth Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (Sth Cir.

1982), overruled on other grounds by *Douglass v. U.S. Auto. Ass’n*, 79 F.3d 1415 (Sth Cir. 1996)). Any portions of the Magistrate Judge’s findings or recommendations that were not objected to are reviewed for clear error. *Wilson*, 864 F.2d at 1221.

The Court, having reviewed the entirety of the R&R de novo, finds that Plaintiff’s objections should be and hereby are **OVERRULED**. Finding that it is in all things correct, the Court **ADOPTS** the Magistrate Judge’s R&R (Dkt. No. 31) and, for the reasons set forth therein, Defendant’s Motion to Dismiss (Dkt. No. 8) is **GRANTED**. Plaintiff’s federal claims are therefore **DISMISSED WITH PREJUDICE**, while her claims under state law are **DISMISSED WITHOUT PREJUDICE** to her ability to raise those claims in state court.

The stay is **LIFTED**, and this case is **CLOSED**. It is so **ORDERED**. SIGNED this day of December 2025. Mes. he **ORLANDO L. GARCIA** United States District Judge

