

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

ODELL EDWARDS, Individually and §
as the Father of JORDAN EDWARDS, §
and on BEHALF OF MINORS, V.A. §
and K.E., and as Representative of the §
Estate of JORDAN EDWARDS, §
Deceased, §
Plaintiff, §

SHAUNKEYIA KEYON STEPHENS, §
and RHONDA WASHINGTON, §
Intervenor Plaintiffs, §

No. 3:17-cv-01208-M-BT

v. §

ROY OLIVER and THE CITY OF §
BALCH SPRINGS, TEXAS, §
Defendants. §

**ORDER ACCEPTING SUPPLEMENTAL AND AMENDED FINDINGS,
CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES
MAGISTRATE JUDGE**

The Court has under consideration the Supplemental and Amended Findings, Conclusions, and Recommendation of United States Magistrate Judge Rebecca Rutherford dated August 12, 2019. (ECF No. 240). The Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objections were made. The objections are overruled.

Accordingly, Defendant the City of Balch Springs's motions to dismiss (ECF Nos. 132, 135, and 137) are GRANTED. The Court also GRANTS Plaintiffs' requests for leave to amend. Plaintiffs have one final opportunity to amend their complaints. If Plaintiffs do not file their amended complaints within 30 days of the

date of this order, their claims against the City will be dismissed without prejudice. The Court further DENIES the City's request to recover costs and attorney's fees under 42 U.S.C. § 1988.

SO ORDERED, this 23rd day of September, 2019.



BARBARA M. G. LYNN
CHIEF JUDGE