

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

LINDSEY LEE, ET AL.

CIVIL ACTION NO.

VERSUS

21-442-SDD-EWD

D.R. HORTON, INC., ET AL.

RULING

The Court has carefully considered the motion,¹ the record, the law applicable to this action, and the *Report and Recommendation*² of United States Magistrate Judge Erin Wilder-Doomes dated January 23, 2025, to which an *Objection*³ was filed. The Court conducted a *de novo* review.

The Court hereby approves the *Report and Recommendation* of the Magistrate Judge and adopts it as the Court's opinion herein.

ACCORDINGLY,

IT IS ORDERED that the Motion for Leave to File Amended and Restated Complaint,⁴ filed by Plaintiffs Lindsey Lee, Wayne Ballard Jr., Jennifer Ballard, Ronald Roberts, III, Kathryn Roberts, Zachary Russell, Lacey Russell, Luis Hinostrroza, Tim Addison, II, Stacy Addison, Jonathan McMorris, and Gilbert Bankston, III is **DENIED** because Plaintiffs lack prudential standing to bring their purported Racketeer Influenced Corrupt Organizations Act claim, which is futile.

IT IS FURTHER ORDERED since Plaintiffs have been denied leave to amend their RICO claim and no other basis for federal subject matter jurisdiction has been

¹ Rec. Doc. 174.

² Rec. Doc. 220.

³ Rec. Doc. 221.

⁴ Rec. Doc. 174.

established, such that only state law claims remain, the Court declines to exercise supplemental jurisdiction and dismisses this case without prejudice, suspending prescription for thirty days pursuant to 28 U.S.C. § 1367(d) so that Plaintiffs can re-file suit in state court, should they choose to do so.

Signed in Baton Rouge, Louisiana, on this 11th day of February, 2025.



**CHIEF JUDGE SHELLY D. DICK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**