

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

TED D. LEE and JERELINE W. LEE,)	
)	
Plaintiff,)	
)	
VS.)	Civil Action No: SA-11-CA-0064-XR
)	
WHISPERING OAKS HOME OWNERS')	
ASSOCIATION, ET AL.,)	
)	
Defendants.)	

JUDGMENT

On this date, this Court issued an Order disposing of all claims and parties, specifically providing that:

Count II, Plaintiff's takings claim, is DISMISSED WITHOUT PREJUDICE as unripe.

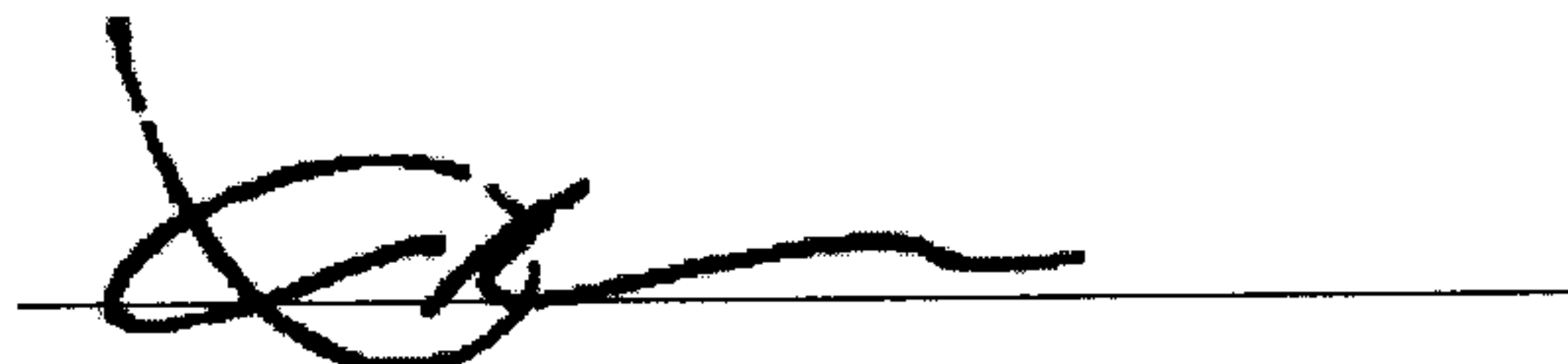
Count I, Plaintiff's substantive due process claim, is DISMISSED WITHOUT PREJUDICE as unripe to the extent it alleges that Plaintiffs' property was taken without due process. Count I is in all other respects DISMISSED WITHOUT PREJUDICE because it fails to state a claim. With respect to Defendant Cibrian, Count I is also dismissed in the alternative on the basis of absolute legislative immunity.

Count III, Plaintiffs' conspiracy claim, is DISMISSED for failure to state a claim.

Count IV, which alleges a state-law claim against Defendant Chenault, is DISMISSED without prejudice pursuant to the Court's discretion to dismiss state-law claims after disposing of all federal claims.

It is, therefore, ORDERED AND ADJUDGED that the action be dismissed and that Defendants be awarded costs. Any Defendant seeking to recover costs must file a bill of costs in the form required by the Clerk of the Court, with supporting documentation, within fourteen days of this Judgment.

SIGNED this 23rd day of June, 2011.



XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE