

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

MARK GERAGHTY	)	
WONDERS,	)	
	)	
Plaintiff,	)	
	)	CASE NO. 1:12-CV-817-WKW
v.	)	[WO]
	)	
JOHN MCHUGH, Secretary of the	)	
Army,	)	
	)	
Defendant.	)	

**ORDER**

On April 1, 2014, the Magistrate Judge filed a Recommendation in this case. (Doc. # 62.) Plaintiff filed a timely objection on April 14, 2014. (Doc. # 63.) Based upon an independent and *de novo* review of those portions of the Recommendation to which objection is made, 28 U.S.C. § 636(b), it is ORDERED that the objection is OVERRULED, and that the Recommendation of the Magistrate Judge is ADOPTED.

Accordingly, it is ORDERED that Defendant’s Motion to Dismiss or in the alternative, for Summary Judgment (Doc. # 53) is DENIED as to the motion to dismiss for lack of subject matter jurisdiction and GRANTED as to the motion for summary judgment. An appropriate final judgment will be entered separately.

DONE this 24th day of April, 2014.

/s/ W. Keith Watkins

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CHIEF UNITED STATES DISTRICT JUDGE