Caldwell v. Hagel (MAG+) Doc. 53

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

MARY CALDWELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:13-CV-713-WKW
	)	[WO]
CHUCK HAGEL, Secretary,	)	
United States Department of Defense,	)	
	)	
Defendant.	)	

ORDER

On January 15, 2015, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 52.) Upon an independent review of the file and upon consideration of the Recommendation, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 52) is ADOPTED;
2. Defendant's motion to dismiss or, in the alternative, for summary judgment (Doc. # 31) is GRANTED;
3. Plaintiff's retaliation claims, to the extent that they arise from discrete instances of allegedly retaliatory conduct that occurred prior to March 2, 2013, are DISMISSED pursuant to Federal Rule of Civil Procedure 12(b)(6) based upon Plaintiff's failure to exhaust administrative remedies; and
4. Summary judgment is entered in Defendant's favor on all of Plaintiff's remaining claims of retaliation.

DONE this 4th day of February, 2015.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE

Dockets.Justia.com