

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>THEODORE WILSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 2:12-CV-0568-SLB</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM OPINION**

On November 13, 2013, defendant United States of America filed a Motion for Summary Judgment, asking the court to dismiss plaintiff Theodore Wilson’s claims. (Doc. 26.) Plaintiff did not file an opposition to defendant’s motion. The Magistrate Judge entered a Report and Recommendation, recommending that defendant’s Motion for Summary Judgment be granted and plaintiff’s claim be dismissed with prejudice. (Doc. 29 at 19.) Plaintiff did not object to the Report and Recommendation.

The district court reviews de novo those parts of a Report and Recommendation to which a party objects. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3)(“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.”). The court may review the other parts of the Report and Recommendation for plain error or manifest injustice. *United States v. Slay*, 714 F.2d 1093, 1095 (11th Cir. 1983)(citing *Nettles v. Wainwright*, 677 F.2d 404, 410 (11th Cir. 1982)). “The district judge may accept, reject, or modify the recommended disposition; receive

further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3).

The court has carefully reviewed the record in this case, including, but not limited to, defendant’s submission in support of its Motion for Summary Judgment. Based on its review, the court finds that defendant has demonstrated that there are no disputed issues of fact and that it is entitled to judgment as a matter of law. *See Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986). The court will adopt the Report of the Magistrate Judge and accept his Recommendation to grant defendant’s Motion for Summary Judgment.

Contemporaneous with the entry of this Memorandum Opinion, the court will enter an Order granting defendant’s Motion for Summary Judgment and dismissing plaintiff’s case with prejudice.

**DONE** this 7th day of August, 2014.

  
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SHARON LOVELACE BLACKBURN  
UNITED STATES DISTRICT JUDGE