

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

GUARDIAN LIFE INSURANCE)
COMPANY OF AMERICA, The,)

Plaintiff,)

vs.)

Case No. 4:13-cv-02167 -KOB

JAMES SMITH,)

Defendant.)

MEMORANDUM OPINION

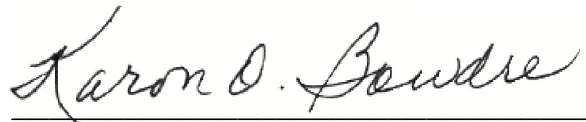
On July 8, 2014, the magistrate judge filed his report and recommendation in this case; he recommended that the Plaintiff Guardian Life Insurance Company of America’s unopposed motion for declaratory judgment against Defendant James Smith be granted (doc. 16) and default judgment be entered in favor of the Plaintiff and against Defendant. (Doc. 18). Neither party filed any objections. The magistrate judge directed the clerk to randomly draw a district judge to review the objections. (Doc. 19). The undersigned was drawn to conduct the review.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that

the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Consequently, the Plaintiff's motion (doc. 16) is due to be GRANTED and Declaratory Judgment is due to be entered for the Plaintiff and against the defendant. An order of final judgment will be entered contemporaneously.

The Clerk is DIRECTED to mail a copy of the foregoing opinion to the Defendant.

DATED the 4th day of August, 2014.

A handwritten signature in cursive script that reads "Karon O. Bowdre". The signature is written in black ink and is positioned above a horizontal line.

KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE