

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

NAOMI WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION 08-0506-WS-C
)	
LE CREWE DE SPANIARDS, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the motion to dismiss Counts One and Two filed by defendant Le Crewe de Spaniards (“the Crewe”). (Doc. 10). The Magistrate Judge has issued a report and recommendation (“R&R”) recommending that the motion to dismiss be granted as to Count One and denied as to Count Two. (Doc. 38). The parties were notified of their right to file objections to the R&R and warned that “[f]ailure to do so will bar a de novo determination by the district judge of anything in the recommendation ...” (*Id.* at 38). *See also United States v. Woodard*, 387 F.3d 1329, 1334 (11th Cir. 2004) (the availability of de novo review “if requested” satisfies Article III). Even when an objection is nominally made, “[f]ailure to submit a brief in support of [an] objection may be deemed an abandonment of the objection.” Local Rule 72.4(a). The parties failed to object to the R&R and are therefore deemed to have waived all objection thereto.

After due and proper consideration of all portions of the file relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge, though not necessarily all the analysis antecedent thereto, is adopted. Accordingly, the Crewe’s motion to dismiss is **granted** with respect to Count One and **denied** with respect to Count Two. Count One is **dismissed** to the extent it purports to state a claim against the Crewe.

DONE and ORDERED this 23rd day of January, 2009.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE