

After due and proper consideration of all pleadings in this file, and a de novo determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court¹.

It is **ORDERED** that Plaintiff Dawson's Motion to Dismiss (Doc. 6) is **GRANTED**.

DONE and ORDERED this 6th day of July, 2011.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE

¹ The Magistrate Judge's Recommendation does not address that portion of Dawson's Motion to Dismiss that seeks to dismiss any claims made against him by Baronski Jackson-Lett. The undersigned agrees that the Cross-Claim/Third-Party Complaint is so confusing and poorly drafted that it is difficult to tell what claims are brought by which claimants against which parties. However, if Baronski Jackson-Lett is attempting to bring claims in his own right against Dawson, they are due to be dismissed. Dawson asked that they be dismissed, in part, because Jackson-Lett is a minor and does not have the legal capacity to sue in his own right. The response to the motion to dismiss did not deny that allegation. Accordingly, if the Cross-Claim/Third-Party Complaint alleges causes of action against Dawson by Jackson-Lett, they are also dismissed.