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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Cheryl Wells,)	No. CV 07-309-TUC-FRZ
Plaintiff,)	ORDER
vs.)	
Hon. Jan E. Kearney, et al.,)	
Defendants.)	

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Jacqueline Marshall whereby she recommends granting several motions to dismiss and addresses several other motions.

The Report and Recommendation was issued on August 11, 2009.¹ The parties have not filed any objections to the Report and Recommendation, the time for filing objections expired, and the Court will not consider any untimely objections.

The Court has reviewed the entire record and concludes that Magistrate Judge Marshall's recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

Accordingly, IT IS HEREBY ORDERED as follows:
(1) United States Magistrate Judge Marshall's Report and Recommendation (Doc. #101) is **ACCEPTED AND ADOPTED.**

¹The Report and Recommendation was mailed to Plaintiff and others not signed up for CM/ECF on August 12, 2009.

1 (2) The motions to dismiss filed by the defendants (Doc. #'s 46,60,62,63,68,69) are granted;
2 these defendants are dismissed with prejudice and the Clerk of the Court shall enter
3 judgment accordingly.

4 (3) Defendant Broad and Cassel's and Defendant Kevin Kinghorn's motions for summary
5 disposition (Doc. #'s 95,97) are granted.


6 (4) Plaintiff's motion for an extension of time to respond (Doc. #96) is denied.

7 (5) Plaintiff is ordered to show cause as to why Defendant John Knox Village's motion for
8 sanctions (Doc. #86) and Defendant Broad and Cassel's motion for sanctions (Doc. #94)
9 should not be granted. Plaintiff shall show cause by filing a brief addressing the sanctions
10 issues no later than **September 18, 2009**.

11 (6) This case is hereby referred back to Magistrate Judge Jacqueline J. Marshall for all
12 pretrial proceedings and report and recommendation in accordance with the provisions of 28
13 U.S.C. § 636(b)(1), Fed.R.Civ.P. 72, and LRCiv 72.1, 72.2, and 72.3 of Rules of Practice of
14 the United States District Court for the District of Arizona.

15 **All future filings in this case shall be designated:**
16 **CV 07-309-TUC-FRZ (JJM)**

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18 DATED this 3rd day of September, 2009.

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22 FRANK R. ZAPATA
23 United States District Judge
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