

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NIGEL C. SYKES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 13-1740-SLR-SRF
	)	
SEASONS PIZZA, et al.,	)	
	)	
Defendants.	)	

**ORDER**

At Wilmington this 25th day of March, 2015, having reviewed the Report and Recommendation issued by Magistrate Judge Sherry R. Fallon, the objections filed to such by plaintiff, and the responses filed thereto by defendants;

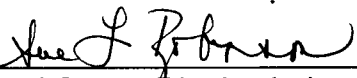
IT IS ORDERED that the Report and Recommendation (D.I. 53) is adopted, and plaintiff's objections thereto (D.I. 54) denied. It is evident from the record that plaintiff had multiple opportunities to pursue his claims against defendants in his first lawsuit,<sup>1</sup> failed to prosecute such, and filed the instant complaint - substantially similar in scope to his earlier complaint - outside the applicable statute of limitations. I find no error in Judge Fallon's well-reasoned analysis.

THEREFORE, IT IS FURTHER ORDERED that defendants' motions to dismiss (D.I. 24, D.I. 41) are granted and plaintiff's amended complaint (D.I. 15) dismissed with

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<sup>1</sup>*Sykes v. Delaware State Police*, Civ. No. 11-147-SLR (closed January 18, 2012 through an order dismissing plaintiff's case without prejudice, D.I. 16).

prejudice.<sup>2</sup>

  
United States District Judge

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<sup>2</sup>I also adopt the recommendation that plaintiff's motion to appoint counsel (D.I. 44) is denied as moot.