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IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

PHILLIP ANTHONY HARWOOD,

:

Plaintiff, : Civil Action No.

5:10-CV-411-CAR-CHW

v. :

:

EVELYN WYNN,

:

Defendant.

ORDER ON THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 24] that Defendant's Motion to Dismiss [Doc. 13] be **GRANTED** and Plaintiff's Complaint accordingly be **DISMISSED** for failure to state a claim and abuse of process. Plaintiff filed a timely Objection to the Recommendation [Doc. 25], and Defendant filed a Response thereto [Doc. 26].

Pursuant to 28 U.S.C. 636(b)(1), this Court thoroughly considered the Recommendation, Plaintiff's Objection, and the Response, and has made a *de novo* determination of the portions of the Recommendation to which Plaintiff objects. After careful consideration, the Court hereby accepts and adopts the findings, conclusions, and recommendations of the United States Magistrate Judge.

The Recommendation of the United States Magistrate Judge is therefore

ADOPTED and MADE THE ORDER OF THE COURT.

SO ORDERED, this 14th day of September, 2011.

S/ C. Ashley RoyalC. ASHLEY ROYAL, CHIEF JUDGEUNITED STATES DISTRICT COURT

jlr