

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

JERRY MOON,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	2:11-CV-00032-RWS
UPS,	:	
	:	
Defendant.	:	


**ORDER**

This case is before the Court for consideration of the Final Report and Recommendation [18] of Magistrate Judge Susan S. Cole. Following issuance of the Report and Recommendation, Plaintiff filed an Objection under the heading “Letter of Appeal to Dismissal of Claim” [19]. After reviewing the record, the Court enters the following Order.

Judge Cole recommends dismissal of this action because Plaintiff failed to plead facts and laws showing why he is entitled to relief. In his Objections, Plaintiff offers additional facts to those stated in the original Complaint. However, the Court finds that these additional allegations still fail to satisfy the standard for adequately pleading a claim. Therefore, the Report and Recommendation is received with approval and adopted as the Opinion and

Order of this Court. Defendant's Motion to Dismiss Plaintiff's Complaint [6] is **GRANTED**, and Plaintiff's Motion not to Dismiss his Complaint [14] is **DENIED**.

**SO ORDERED**, this 27th day of January, 2012.

  
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**RICHARD W. STORY**  
United States District Judge