

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

ALICE GUTH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 09-cv-1333
	)	
TAZEWELL COUNTY, ILLINOIS, et al.,	)	
	)	
Defendants.	)	

**O P I N I O N and O R D E R**

Before the court is Magistrate Judge Cudmore’s Report and Recommendation (Doc. 23) on Defendants’ Motion to Dismiss (Doc. 10). The parties have not filed any objections within the ten (10) working days allotted by 28 U.S.C. §636(b)(1). Failure to timely object constitutes a waiver of any objections. *See Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Video Views, Inc. v. Studio 21 Ltd.*, 797 F.2d 538 (7th Cir. 1986). Accordingly, this Court ADOPTS the Report and Recommendation of the Magistrate Judge.

IT IS THEREFORE ORDERED that Defendants’ Motion to Dismiss (Doc. 10) is GRANTED IN PART AND DENIED IN PART. Plaintiff’s state law claims and any claims regarding the denial of Plaintiff’s 2004 and 2005 rezoning applications are DISMISSED.

Entered this 12th day of July, 2010

s/ Joe B. McDade  


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**JOE BILLY MCDADE**  
United States Senior District Judge