

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

JULIA PEARSON,

Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

No. 07-CV-111-LRR

ORDER

The matter before the court is the United States Magistrate Judge's Report and Recommendation (docket no. 29). Neither party filed objections to the Report and Recommendation within the ten-day period, as required by the Report and Recommendation, Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b)(1)(C). Further, the court finds no plain error in the Magistrate Judge's decision. Accordingly, the court **ADOPTS** the Report and Recommendation. The court **AFFIRMS** Defendant's decision to deny AD&D benefits and **REMANDS** on the issue of the extra accident death benefit relating to seat belt usage for further proceedings as discussed in the Report and Recommendation. The Clerk of Court is directed to **CLOSE THIS CASE**.

IT IS SO ORDERED.

DATED this 28th day of January, 2009.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA