

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

CLARENCE E. FLETCHER

PLAINTIFF

V.

NO. 1:14-CV-00203-DMB-DAS

METLIFE INSURANCE COMPANY

DEFENDANT

ORDER OF DISMISSAL

On January 5, 2016, United States Magistrate Judge David A. Sanders issued a Report and Recommendation (“R&R”) recommending that Plaintiff Charles E. Fletcher’s “action be dismissed with prejudice for failure to comply with the rules of procedure; failure to comply with the orders of the court; and failure to prosecute the action.” Doc. #23 at 4. The R&R warned that the “[f]ailure to timely file objections to the proposed findings and recommendations will bar an aggrieved party from challenging on appeal both the proposed factual findings and the proposed legal conclusions that are accepted by the district court.” *Id.*

Fletcher, who is represented by counsel, has not acknowledged receipt of the R&R. As of this date, Fletcher has not filed written objections to the R&R. Accordingly, this Court’s review of the R&R is limited to plain error. See *Molina–Uribe v. U.S.*, No. B:97–97, 2009 WL 3535498, at *15 (S.D. Tex. Sep. 10, 2009) (“In the absence of plain error, a party’s failure to object timely to a Magistrate Judge’s Report and Recommendation waives any right to further judicial review of that decision.”) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1997)).

The Court has reviewed the R&R and found no plain error. Accordingly:

1. The R&R is **APPROVED and ADOPTED** as the opinion of the Court; and

2. This matter is **DISMISSED** with prejudice for failure to comply with the rules of procedure, failure to comply with the orders of the court, and failure to prosecute the action.

SO ORDERED, this 1st day of February, 2016.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE