Cox v. Morris et al Doc. 69

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI GREENVILLE DIVISION

JAMES B. COX d/b/a JC Designs d/b/a Wire N Rings

**PLAINTIFF** 

V.

NO. 3:18-CV-30-DMB-JMV

JAMES MORRIS, et al.

**DEFENDANTS** 

<u>ORDER</u>

On January 23, 2020, United States Magistrate Judge Jane M. Virden issued a report and recommendation recommending that the claims brought by James Cox against James Morris be

dismissed with prejudice pursuant to a settlement agreement reached in her presence and that the

claims asserted by Cox against James Noland be dismissed without prejudice pursuant to Federal

Rule of Civil Procedure 4(m). Doc. #67. No party has objected to the report and recommendation.

Under 28 U.S.C § 636(b)(1)(C), "[a] judge of the court shall make a de novo determination

of those portions of the report ... to which objection is made." "[W]here there is no objection, the

Court need only determine whether the report and recommendation is clearly erroneous or contrary

to law." United States v. Alaniz, 278 F. Supp. 3d 944, 948 (S.D. Tex. 2017) (citing United States

v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)). Because the report and recommendation is neither

clearly erroneous nor contrary to law, it is **ADOPTED** as the order of the Court. Cox's claims

against Morris are **DISMISSED** with prejudice. Cox's claims against Noland are **DISMISSED** 

without prejudice. A final judgment will issue separately.

**SO ORDERED**, this 13th day of February, 2020.

/s/Debra M. Brown

UNITED STATES DISTRICT JUDGE