

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

DAVID E. PAYNE

PLAINTIFF

v.

CAUSE NO. 3:11-CV-389-CWR-FKB

MARGARET BINGHAM, ET AL.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge F. Keith Ball entered on February 21, 2013, *see* Docket No. 65, which clearly notified the respective parties in the above-styled and numbered cause that failure to file written objections to the findings and recommendations contained therein within fourteen (14) days from the date of filing would bar further appeal in accordance with 28 U.S.C. § 636 and Fed. R. Civ. P. 72(b)(2). Plaintiff David E. Payne was granted an additional 14 days to file objections to the Report and Recommendation, *see* Docket No. 69, but no objection was received within the extended time period.

Accordingly, the Court, finding that there has been no submission of written objections by any party, hereby adopts said Report and Recommendation as its own Order, and dismisses all defendants from this case except Berry and Thornton.

SO ORDERED, this the 25th day of March, 2013.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE