

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KENNETH BRANTLEY,	)	4:12CV3215
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
BNSF RAILWAY COMPANY,	)	
	)	
Defendant.	)	

This matter is before the court on Magistrate Judge Zwart's findings and recommendation. (Filing [66](#).) Plaintiff did not file a statement of objections. The magistrate recommends that defendant's motion to dismiss be granted in its entirety, and that this case be dismissed with prejudice.

I have conducted a de novo review of the record. I find that inasmuch as the magistrate judge has fully, carefully, and correctly found the facts and applied the law, the magistrate judge's findings and recommendation should be adopted and the defendant's motion to dismiss should be granted.

Accordingly,

IT IS ORDERED that:

1. The magistrate judge's findings and recommendation (filing [66](#)) is adopted.
2. The defendant's motion to dismiss (filing [63](#)) is granted.

DATED this 4<sup>th</sup> day of March, 2014.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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