

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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4 ERVIN MIDDLETON, )  
5 )  
6 Plaintiff, )  
7 vs. )  
8 OMELY TELECOM, )  
9 Defendant. )

Case No.: 2:13-cv-01367-GMN-GWF

**ORDER ACCEPTING REPORT &  
RECOMMENDATION OF MAGISTRATE  
JUDGE FOLEY**


10 Before the Court for consideration is the Report and Recommendation (ECF No. 4) of the  
11 Honorable George W. Foley, Jr., United States Magistrate Judge, entered June 20, 2014.

12 Pursuant to Local Rule IB 3-2(a), objections were due by July 7, 2014. No objections  
13 have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has  
14 reviewed the record in this case and agrees with Magistrate Judge Foley’s recommendation that  
15 Plaintiff’s Complaint (ECF No. 3) be **Dismissed with prejudice**. Therefore, the Court has  
16 determined that Magistrate Judge Foley’s Recommendation should be **ACCEPTED** and  
17 **ADOPTED** to the extent that it is not inconsistent with this opinion.

18 **IT IS THEREFORE ORDERED** that the Report and Recommendation (ECF No. 4) is  
19 **ACCEPTED and ADOPTED in full**.

20 **IT IS FURTHER ORDERED** that Plaintiff’s Complaint is **DISMISSED** with prejudice.  
21 The Clerk shall enter judgment accordingly.

22 **DATED** this 9th day of July, 2014.

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Gloria M. Navarro, Chief Judge  
United States District Court