

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

**Sallie Thurber**

v.

**Civil No. 12-cv-245-PB**

**Bank of New York Mellon, et al**

**O R D E R**

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated July 18, 2012. The plaintiff's motion for temporary restraining order (doc. no 3) is denied, and the case is dismissed for lack of subject matter jurisdiction. "'[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also

United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

SO ORDERED.

August 2, 2012

/s/ Paul Barbadoro  
Paul Barbadoro  
United States District Judge

cc: Sallie Thurber, Pro Se