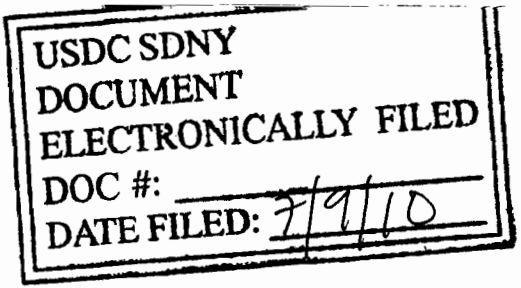


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



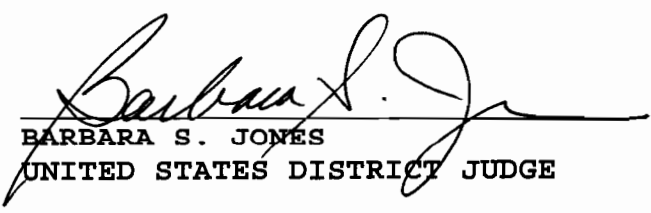
-----X
:
BRYAN HOLT HENDERSON, :
:
Plaintiff, :
:
v. :
:
EL SOL CONTRACTING & CONSTRUCTION :
CO. :
:
Defendant. :
:
-----X

09 Civ. 2634 (BSJ) (RLE)
Opinion & Order

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Having reviewed Magistrate Judge Ronald L. Ellis's Report and Recommendation dated June 16, 2010, and having received no objections thereto, I hereby confirm and adopt the Report in its entirety, having been satisfied that there is no clear error on the face of the record. See Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). Accordingly, the Complaint is dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and the Clerk of the Court is directed to close the case.

SO ORDERED:


BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
July 8, 2010