

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:16-CV-242-FL

This matter is before the court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge James E. Gates, regarding the parties’ cross motions for judgment on the pleadings. No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

Upon careful review of the M&R and of the record generally, having found no clear error, the court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, plaintiff's motion is DENIED, defendant's motion is GRANTED, and this matter is DISMISSED. The clerk of court is directed to close the case.

SO ORDERED this the 17th day of August, 2017.

Louise W. Flanagan
LOUISE W. FLANAGAN
United States District Judge