

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SEAN V. TERRY,	)	
	)	
Plaintiff,	)	
v.	)	1:16CV256
	)	
SWIFT TRANSPORTATION,	)	
	)	
Defendant.	)	

**ORDER**

On March 14, 2017, the United States Magistrate Judge’s Memorandum Opinion, Order, and Recommendation (“Recommendation”) was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. [Doc. #31.] On March 30, 2017, pro se Plaintiff Sean V. Terry filed a Response to the Recommendation which raises “a couple of questions, an objection, and a recommendation.” [Doc. #32.] It seems as though Mr. Terry’s objection relates to Defendant Swift Transportation’s (“Swift”) use of the word “ignorance” in its briefing and Mr. Terry’s equating this use with racist comments. (Id.) To the extent Mr. Terry has made specific objections to the Recommendation, the Court has made a de novo determination that none of Mr. Terry’s concerns affect the Court’s acceptance of the Magistrate Judge’s report. Further, Swift did not file any Objections to the Recommendation.<sup>1</sup> Therefore, the Court adopts the Recommendation.

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<sup>1</sup> On April 13, 2017, Swift did file a Response to Plaintiff’s Objections [Doc. #33], but no objections to the Recommendation.

For the reasons stated herein, **IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss [Doc. #10] is **GRANTED IN PART** and **DENIED IN PART**, in that all claims, except Plaintiff's defamation claim, are **DISMISSED**.

This the 6<sup>th</sup> day of July, 2017.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge