

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

WILLIAM R. FRANKLIN,

Plaintiff,

Case No. 1:08cv466

v.

Judge Michael R. Barrett

UNITED STATES PARCEL SERVICE,  
*et al.*

Defendants.

**ORDER**

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (Doc. 41), Plaintiff's objections thereto (Doc. 56) and Defendant's response (Doc. 63). The Magistrate Judge concluded that Plaintiff's claims are barred by the applicable statute of limitations. The Magistrate Judge therefore recommended that Defendant TKT's Motion to Dismiss (Doc. 21) be granted.

When objections are received to a magistrate judge's Report and Recommendation on a dispositive matter, the assigned district judge "shall make a de novo determination...of any portion of the magistrate judge's disposition to which specific written objection has been made...." Fed. R. Civ. P. 72(b). After review, the district judge "may accept, reject or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions." *Id*; see also 28 U.S.C. 636(b)(1)(B). General objections are insufficient to preserve any issues for review; "[a] general objection to the entirety of the magistrate's report has the same effects as would a failure to object." *Howard v. Secretary of Health and Human Services*, 932 F.2d 505, 509 (6<sup>th</sup> Cir. 1991).

Plaintiff objects to the Judge's Report and Recommendation on the grounds that his findings are contrary to law.

Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Judge.

Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Doc. 41). Defendant TKT's Motion to Dismiss (Doc. 21) is **GRANTED**.

**IT IS SO ORDERED.**

*s/Michael R. Barrett*  
United States District Judge