UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

Cynthia Chinn, et al., Plaintiffs

v. Case No. 1:10-cv-177

United States Postal Service, Defendant

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed January 31, 2011 (Doc. 11).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter <u>de novo</u> pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Defendant's motion to dismiss is **GRANTED** and the complaint is **DISMISSED** with prejudice.

Date: February 28, 2011 <u>s/Sandra S. Beckwith</u>

Sandra S. Beckwith, Senior Judge United States District Court