UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

RICHARD WIMPYE,

Plaintiff

V.

C-1-11-844

AK STEEL,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 54) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the absence of any objection by plaintiff, this Court accepts the Report as uncontroverted.

The Report and Recommendation of the United States Magistrate Judge (doc. no. 54) is hereby ADOPTED AND INCORPORATED HEREIN BY REFERENCE. Defendant's Motion for Summary Judgment (doc. no. 38) is **GRANTED** and this case is **DISMISSED** AND **TERMINATED** on the docket

of this Court.

IT IS SO ORDERED.

s/Herman J. Weber Herman J. Weber, Senior Judge United States District Court