

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**XTO ENERGY, INC.,**

**Plaintiff,**

**v.**

**RAY WHITMIRE and  
LAINIE WHITMIRE,**

**Defendants.**

**Case No. 16-CV-138-JHP**

**ORDER AFFIRMING AND ADOPTING THE REPORT AND  
RECOMMENDATION OF THE UNITED STATES  
MAGISTRATE JUDGE**

On May 23, 2016, the United States Magistrate Judge entered a Report and Recommendation in regard to Plaintiff's Application for Temporary Restraining Order and Injunctive Relief (Doc. No. 4) and Defendants' Motion to Deny Plaintiff's Request for Temporary Restraining Order (Doc. No. 17). The Magistrate Judge recommended the Plaintiff's motion be denied and the Defendants' motion be granted. (Doc. No. 24). On June 6, 2016, Plaintiff filed objections to the Magistrate Judge's Report and Recommendation. (Doc. No. 30). On June 20, 2016, Defendants filed a response in opposition to Plaintiff's objections. (Doc. No. 40).

This Court finds the Report and Recommendation of the Magistrate Judge is supported by the record. Therefore, upon full consideration of the entire record and the issues presented herein, the Court finds and orders that the Report and Recommendation entered by the United States Magistrate Judge on May 23, 2016, be **AFFIRMED** and **ADOPTED** by this Court as its Findings and Order.

IT IS SO ORDERED this 1st day of August, 2016.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma