

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

ROBERT J. ANDERSON,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-14-298-F
)	
REESE LANE,)	
)	
Defendant.)	

ORDER


United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation on April 14, 2015, recommending that Defendant Reese Lane's Motion to Dismiss be granted and that plaintiff, Robert J. Anderson's cause of action be dismissed without prejudice for failure to exhaust administrative remedies. Magistrate Judge Purcell advised the parties of their respective right to file an objection to the Report and Recommendation by May 4, 2015 and that failure to timely object would waive appellate review of the recommended ruling.

To date, neither party has filed an objection and no request for an extension of time has been sought. With no objection being filed within the time prescribed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on April 14, 2015 (doc. no. 46) is **ACCEPTED, ADOPTED** and **AFFIRMED**. Defendant Reese Lane's Motion to Dismiss (doc. no. 30) is **GRANTED** and plaintiff, Robert J. Anderson's cause of action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies. In light of

the court's ruling, Defendant Reese Lane's alternative Motion for Summary Judgment (doc. no. 30) is **DENIED** as **MOOT**.

DATED May 19, 2015.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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