

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice. Additionally, we deem the defendant's motion for summary judgment unopposed¹ as the plaintiff failed to file a brief in opposition, despite being granted multiple extensions of time, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

1) The magistrate judge's report and recommendation (Doc. 72) is

ADOPTED;

2) The defendant's motion for summary judgment (Doc. 59) is **GRANTED;**

3) The Clerk of Court is directed to **ENTER** judgment in favor of defendant and against plaintiff; and

3) The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:



JUDGE JAMES M. MUNLEY
United States District Court

¹ See L.R. 7.6 ("Any party who fails to comply with this rule shall be deemed not to oppose such motion . . . [a] brief in opposition to a motion for summary judgment . . . shall be filed within twenty-one (21) days after service of the movant's brief.").