

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JAN SALYER,)	
)	
Plaintiff,)	
)	
v.)	No. 3:19-CV-482-HBG
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	

MEMORANDUM OPINION

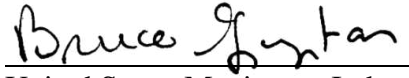
This case is before the undersigned pursuant to 28 U.S.C. § 636(c), Rule 73 of the Federal Rules of Civil Procedure, and the consent of the parties, for all further proceedings, including entry of judgment [Doc. 28].

Now before the Court is Defendant’s Motion for Summary Judgment [Doc. 36], which was filed on November 30, 2021. Pursuant to the Local Rules of this Court, Plaintiff’s response to the Motion was due on December 21, 2021. *See* E.D. Tenn. L.R. 7.1. Plaintiff did not respond to the Motion, and therefore, on December 30, 2021, the Court entered an Order [Doc. 38], directing Plaintiff to show cause on January 7, 2022, as to why the Motion should not be granted for Plaintiff’s failure to oppose the Motion.

On January 10, 2022, Plaintiff responded that she missed the deadline to oppose the Motion for Summary Judgment because of an error in her counsel’s case management system. Plaintiff states, however, that “the facts developed during party depositions and exchange of written discovery indicate that Plaintiff cannot sufficiently refute the pending MSJ.” [Doc. 39 at 1]. Plaintiff submits that she has no opposition to Defendant’s Motion for Summary Judgment and that “entry of an order to dismiss with prejudice is proper.” [*Id.*].

Accordingly, based on the facts and arguments in Defendant's Motion for Summary Judgment and Plaintiff's response thereto, the Court hereby **GRANTS** Defendant's Motion for Summary Judgment [**Doc. 36**]. A separate Judgment will follow.

ORDER ACCORDINGLY.

A handwritten signature in black ink that reads "Bruce Guntan". The signature is written in a cursive style with a horizontal line underneath it.

United States Magistrate Judge