

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BYRON TU'SHAWN GOINS)
)
v.) NO. 3:09-0926
) JUDGE CAMPBELL
DESIREE ANDREWS, et al.)

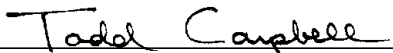
ORDER

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 42), to which no Objections have been filed. The Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved.

Accordingly, the Motion to Dismiss filed by Defendants Andrews and Sator (Docket No. 37) is GRANTED. In addition, the Court finds that Plaintiff's allegations against Defendant Walton, who has been served but has not filed an Answer herein (*see* footnote 1, Docket No. 42), fail to state a claim for which relief may be granted.

Therefore, for the reasons stated in the Report and Recommendation, Plaintiff's Complaint is DISMISSED. Any pending Motions are denied as moot, and the Clerk is directed to close the file. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.



 TODD J. CAMPBELL
 UNITED STATES DISTRICT JUDGE