

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ANTONIO D. DIXON,)
)
 Plaintiff)
)
 v.)
)
 WEST NASHVILLE WRECKER)
 SERVICE and UNITED ROAD)
 TOWING, INC.,)
)
 Defendants.)

**No. 3:11-0784
Judge Sharp**

ORDER

The Magistrate Judge has entered a Report and Recommendation (“R & R”) (Docket No. 43) recommending that Defendants’ unopposed Motion for Summary Judgment (Docket No. 43) be granted, and that this case be dismissed with prejudice. Despite being specifically advised in the R & R that failure to file objections within fourteen days of receipt could “constitute a waiver of further appeal,” (Docket No. 43 at 8), Plaintiff has filed no objections.

Having considered the matter *de novo* in accordance with Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the Magistrate Judge that Defendants have advanced legitimate reasons for its employment actions, including its decision to terminate Plaintiff for insubordination and refusing work assignments. Plaintiff has wholly failed to present any evidence which would suggest that those reasons were pretextual.

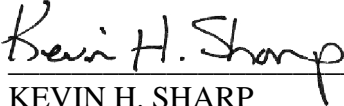
Accordingly, the Court rules as follows:

- (1) The R & R (Docket No. 43) is hereby ACCEPTED and APPROVED;
- (2) Defendants’ Motion for Summary Judgment (Docket No. 40) is hereby GRANTED;

(3) This case is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE