

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

**L.A., an adjudicated ‘adult ward’)
under court-appointed conservatorship,)
by appointed co-conservator,)
BRENDA ENNIS,)
)
Plaintiff,)
)
v.)
)
BELINDA MITCHELL, et al.,)
)
Defendants.)**

**No. 3:12-00810
Judge Sharp**

ORDER

Pending before the Court are several motions to dismiss filed on behalf of Defendants. Magistrate Judge Bryant has entered a Report and Recommendation (Docket No. 52) in which he recommends that the Motions to Dismiss be granted, but only to the extent that they challenge Petitioner Ennis’s standing to sue on behalf of L.A. Despite being specifically advised in the R & R that any objection needed to be filed within fourteen days, and that the failure to file specific objections within that period could constitute a waiver of any further appeal of the R & R, no objections have been filed.

Having undertaken the *de novo* review required by Rule 72 of the Federal Rules of Civil Procedure, and having fully considered the record and filings in this case, the Court agrees with Magistrate Judge Bryant’s recommended disposition. Accordingly, the Court rules as follows:

- (1) The R & R (Docket No. 52) is hereby ACCEPTED and APPROVED;
- (2) The Motions to Dismiss (Docket Nos. 34, 37, 43, 47 & 49) are hereby GRANTED, but only to the extent that they challenge Petitioner Ennis’s standing to sue on L.A.’s behalf;

(3) The Verified Petition (Docket No. 2) is hereby DISMISSED, but said dismissal is WITHOUT PREJUDICE to the underlying claims of L.A.

The Clerk of the Court shall enter judgment in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.

Handwritten signature of Kevin H. Sharp in black ink, written in a cursive style.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE