

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JEFFREY ANDERSON,

Plaintiff,

Case No. 3:16-cv-01429
Hon. Denise Page Hood

v.

FATTOUSH CAFE,

Defendant.

**ORDER ACCEPTING REPORT AND RECOMMENDATION
AND DISMISSING ACTION WITH PREJUDICE**

This matter comes before the Court on Magistrate Judge Barbara D. Holmes' Report and Recommendation. [#45] Plaintiff Jeffrey Anderson, currently proceeding in pro per following the withdrawal of his counsel and Plaintiff's failure to obtain new counsel, filed this action on June 16, 2016, alleging that Defendant violated his rights under the Americans with Disabilities Act. The Magistrate Judge recommends that the Court dismiss Plaintiff's cause of action, with prejudice, for failure to prosecute and obey Court orders. Neither party filed an objection to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the

Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above,

IT IS ORDERED that the Report and Recommendation [Docket No. 45, filed April 14, 2017] is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that this action is **DISMISSED WITH PREJUDICE**.

DATED: May 16, 2017

s/Denise Page Hood
DENISE PAGE HOOD
UNITED STATES DISTRICT JUDGE
SITTING BY SPECIAL DESIGNATION