

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ATER M. MAJAK,

Plaintiff,

Case No. 3:16-cv-01852  
Hon. Denise Page Hood

v.

JOHN L. HARRIS and AMY B. BURKS,

Defendants.

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**ORDER ACCEPTING REPORT AND RECOMMENDATION  
AND DISMISSING ACTION WITHOUT PREJUDICE**

This matter comes before the Court on Magistrate Judge Alistair E. Newbern's Report and Recommendation. [#6] *Pro se* Plaintiff filed this action on June 18, 2016. Plaintiff filed a supplement to his complaint on September 27, 2016, but he has not taken any action since then. The Magistrate Judge recommends that the Court dismiss Plaintiff's cause of action, without 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. 6, filed January 12, 2018] is **ADOPTED** as this Court's findings of fact and conclusions of law.

**IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

DATED: February 7, 2018

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