

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JAMES NATHAN CARTER,

Plaintiff,

v.

Case No. 3:16-cv-02088

SONYA TROUTT, et al.,

HON. TERRENCE G. BERG
HON. JEFFERY S. FRENSLEY

Defendants.

**ORDER ADOPTING REPORT
AND RECOMMENDATION (DKT. 41)**

This matter is before the Court on Magistrate Judge Jeffery S. Frensley's June 23, 2017 Report and Recommendation (Dkt. 41), recommending that Defendants' motion for summary judgment (Dkt. 36) be granted and that this action be dismissed with prejudice.

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation, and finds that it is well-reasoned and supported by the relevant law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a

copy” of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a “*de novo* determination of those portions of the report . . . to which objection is made.” *Id.* Neither party filed any objections to Magistrate Judge Frensley’s Report and Recommendation, and the time to do so has expired. Where, as here, neither party objects to the Report and Recommendation, the District Court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate Judge’s Report and Recommendation of June 23, 2017, as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Frensley’s Report and Recommendation (Dkt. 41) of June 23, 2017 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendants’ motion for summary judgment (Dkt. 36) is **GRANTED**. This case is hereby **DISMISSED WITH PREJUDICE**.

SO ORDERED.

Dated: July 18, 2017

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE
SITTING BY SPECIAL DESIGNATION