Smith v. Queener Doc. 26

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CONSTANCE R. SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 3:16-cv-03314**
	)	**Judge Aleta A. Trauger**
HENRY QUEENER,	)	
	)	
Defendant.	)	
	)	

ORDER

Before the court is the plaintiff's Motion to Alter (Doc. No. 24), which the court construes as objections to Magistrate Judge Holmes's Report and Recommendation (R&R) (Doc. No. 23), recommending that the defendants' Motion to Dismiss (Doc. No. 14) be granted and that the Complaint be dismissed without prejudice for lack of subject-matter jurisdiction. As set forth in the accompanying Memorandum, the court has conducted a *de novo* review of the defendant's Motion to Dismiss in light of the plaintiff's objections, and finds no error in the magistrate judge's findings and conclusions.

Accordingly, the objections set forth in the plaintiff's Motion to Alter (Doc. No. 24) are **OVERRULED**; the magistrate judge's R&R (Doc. No. 23) is **ACCEPTED AND ADOPTED** in its entirety; the defendant's Motion to Dismiss (Doc. No. 14) is **GRANTED**, and this action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.

This is the final Order in this action for purposes of Fed. R. Civ. P. 58.

It is so **ORDERED**.

ALETA A. TRAUGER
United States District Judge

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