

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

NOV 17 2009

CHUCK KRUTILIS,  
Plaintiff,  
v.  
NPOT PARTNERS I, LP D/B/A REQUEST  
CAPITAL  
Defendant.

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DAVID J. MALAND, CLERK  
BY  
DEPUTY \_\_\_\_\_

CASE NO. 4:09cv48

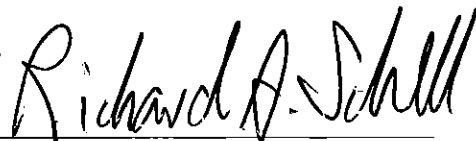
**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 5, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss (Dkt. 17) be GRANTED and that Plaintiff's claims here be **DISMISSED** with prejudice.

The court has made a *de novo* review of the materials recently filed by Plaintiff and finds that none of the materials state any meritorious objections to the findings and conclusions of the Magistrate Judge in his report. Therefore, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court. Defendant's Motion to Dismiss (Dkt. 17) is GRANTED, and Plaintiff's claims here are **DISMISSED** with prejudice.

**IT IS SO ORDERED.**

SIGNED this 16<sup>th</sup> day of Nov., 2009.



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE