

**United States District Court**

**EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

PETER DAVID WINEGARNER §  
V. §  
CINEMARK HOLDINGS, INC., ET AL. §

CASE NO. 4:09CV627  
Judge Schneider/Judge Mazzant

**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 January 31, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Cinemark Holdings, Inc., "Cinemark Lewisville, TX," Sarah Van Zandt, and Roy Williams's Motion to Enforce Court's Order (Dkt. #114) be granted.

The Court, having made a *de novo* review of Plaintiff's construed objections (Dkt. #123), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Cinemark Holdings, Inc., "Cinemark Lewisville, TX," Sarah Van Zandt, and Roy Williams's Motion to Enforce Court's Order (Dkt. #114) is GRANTED and Plaintiff's case is DISMISSED with prejudice.

**It is SO ORDERED.**

**SIGNED this 29th day of February, 2012.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE