

United States District Court

EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

GAYL PAYTON

vs.

NANTUCKET PARTNERS, L.P., and
RICHMARK PROPERTIES, INC.

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Case No. 4:10-cv-00143
(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 August 19, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion for Summary Judgment (Dkt. #43) should be granted.

The Court, having made a *de novo* review of Plaintiff's construed objections (Dkt. #57), 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 Defendants' Motion for Summary Judgment (Dkt. #43) is **GRANTED** and this case is **DISMISSED** with prejudice.

It is SO ORDERED.

SIGNED this 22nd day of September, 2011.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE