

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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| DONALD W. THOMAS | § | |
| | § | |
| V. | § | CASE NO. 4:10cv229 |
| | § | (Judge Schneider/Judge Mazzant) |
| MAMASO, INC., d/b/a Maso's Texaco | § | |

**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 11, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion for Summary Judgment (Dkt. No. 42) be granted.

The Court, having made a *de novo* review of Plaintiff's objections, 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 Defendant's Motion for Summary Judgment (Dkt. No. 42) is **GRANTED**, and Plaintiff's claims are dismissed with prejudice.

It is SO ORDERED.

SIGNED this 31st day of January, 2012.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE