

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ALLISON KING,
Plaintiff,

v.

BAYLOR UNIVERSITY,
Defendant.

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6-20-CV-00504-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Mankse. ECF No. 49. The Report recommends that this Court grant Defendant’s Motion to Dismiss (ECF No. 31), and that Plaintiff’s First Amended Complaint (ECF No. 28) be dismissed with prejudice. Because the Report recommends dismissal on the merits, the Report further recommends that Plaintiff’s Motion for Appointment of Interim Class Counsel (ECF No. 27) be denied. The Report and Recommendation was filed on January 1, 2021.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on February 11, 2021. ECF No. 50. The Court has conducted a *de novo* review of the motion to dismiss and motion to remand, the responses, the report and recommendation, the objections to the report and recommendation, and the applicable laws.

After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.


IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 49, is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's objections are **OVERRULED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (ECF No. 31) is **GRANTED** and Plaintiff's First Amended Complaint (ECF No. 28) is **DISMISSED WITH PREJUDICE** in accordance with the Report and Recommendation.

IT IS FINALLY ORDERED that Plaintiff's Motion for Appointment of Interim Class Counsel (ECF No. 27) is **DENIED**.

SIGNED this 31st day of March, 2021.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE