

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

KEVIN CUPP,

Plaintiff,

v.

NUCOR CORPORATION,

Defendant.



CIVIL NO. W-23-CV-00855-ADA

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

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske (ECF No. 28) regarding Defendant's Motion to Dismiss Plaintiff's Original Complaint (ECF No. 15). The report recommends that Defendant's Motion to Dismiss (ECF No. 15) be **DENIED**. The report and recommendation was filed on April 29, 2024.


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). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske (ECF No. 28) is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (ECF No. 15) is **DENIED**.

SIGNED this 4th day of June, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE