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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

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**KELLI J. JACK and G. RICHARD  
JACK,**

Plaintiffs,

v.

**FEDERAL DEPOSIT INSURANCE  
CORPORATION,**

Defendants.

**ORDER AFFIRMING  
REPORT & RECOMMENDATION**

**Case No. 2:11CV567DAK**

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This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Brooke C. Wells under 28 U.S.C. § 636(b)(1)(B). On December 21, 2012, Magistrate Judge Wells issued a Report and Recommendation, recommending that Defendant's Motion to Dismiss for Lack of Prosecution be granted. The Report and Recommendation notified Plaintiffs that any objections to the Report and Recommendation must be filed within fourteen days of being served with the motion. The time for filing objections has passed,<sup>1</sup> and Plaintiffs have not filed any objections to the Report and Recommendation.

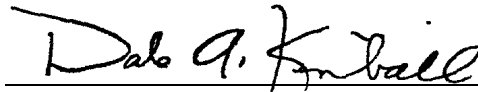
The court has reviewed the file *de novo*. The court approves and adopts the Magistrate Judge's Report and Recommendation in its entirety. Accordingly, Plaintiff's Complaint is hereby **DISMISSED WITH PREJUDICE** for lack of prosecution.

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<sup>1</sup> Even with an intervening holiday, the court does not believe it would take more than one week for Plaintiffs to receive the Report and Recommendation in the mail.

DATED this 15th day of January, 2013.

BY THE COURT:

A handwritten signature in black ink that reads "Dale A. Kimball". The signature is written in a cursive style with a horizontal line underneath it.

DALE A. KIMBALL

United States District Judge