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

CRESSALYN EVANS,

Plaintiff,

v.

CENTURY LINK CORPORATION,

Defendant.

MEMORANDUM DECISION and ORDER
ADOPTING REPORT &
RECOMMENDATION

Case No. 2:12-CV-343-DN-PMW

District Judge David Nuffer
Magistrate Judge Paul M. Warner

This case was referred to Magistrate Judge Paul M. Warner under 28 U.S.C. § 636(b)(1)(B).¹ On March 8, 2013, Judge Warner issued a Report & Recommendation (R&R)² recommending that this court: (1) DENY Plaintiff Evans's motion for leave to amend the original complaint; and (2) GRANT Defendant's motion to dismiss the original complaint, and render MOOT Defendant's motion to dismiss the proposed amended complaint.³

The parties were notified of their right to file objections to the R&R within 14 days after receiving it.⁴ No objections to the R&R were filed or received by the court.

The court has conducted a *de novo* review of the issues and agrees with Judge Warner's analysis, conclusions and recommendations. Accordingly, the R&R is adopted as the order of this court.

¹ Order Referring Case, docket no. 8, filed May 22, 2012.

² Docket no. 21, filed March 8, 2013.

³ *Id.* at 13.

⁴ *Id.*

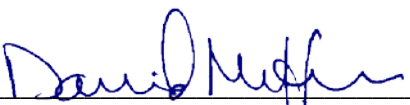
ORDER

IT IS HEREBY ORDERED that the R&R⁵ is ADOPTED as the order of the court.

IT IS FURTHER ORDERED that Evans's motion to amend the complaint is DENIED,⁶ Defendant's motion to dismiss the original complaint is GRANTED,⁷ and Defendant's motion to dismiss the amended complaint is MOOT.⁸

Signed March 26, 2013.

BY THE COURT



District Judge David Nuffer

⁵ Docket no. 21.

⁶ Request to Amend Complaint, docket no. 11 filed May 24, 2012.

⁷ Motion to Dismiss, docket no. 4, filed April 17, 2012.

⁸ Motion to Dismiss Amended Complaint, docket no. 16, filed June 11, 2012.