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

ROLAND COOKE,

Plaintiff,

v.

PHILIP MORRIS and ALTRIA GROUP,

Defendants.

**ORDER ADOPTING & AFFIRMING
REPORT & RECOMMENDATION**

Case No. 2:14cv879DAK

Judge Dale A. Kimball

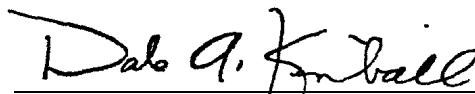
This case was assigned to United States District Judge Dale A. Kimball, who referred it to United States Magistrate Judge Dustin Pead under 28 U.S.C. § 636(b)(1)(B). On June 17, 2015, Magistrate Judge Pead issued a Report and Recommendation concluding that Plaintiff's Complaint should be dismissed pursuant to Rules 12(b)(4) and 12(b)(5) of the Federal Rules of Civil Procedure.

The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation was required to be filed within fourteen days of receiving it. Plaintiff did not file an objection to the Report and Recommendation, and the time for filing an objection has passed.

The court has reviewed the case *de novo* and the court agrees with the Report and Recommendation in its entirety. The court hereby adopts it as the order of the court. Accordingly, Plaintiff's Complaint is DISMISSED pursuant to Rules 12(b)(4) and 12(b)(5) of the Federal Rules of Civil Procedure.

DATED this 15th day of July, 2015.

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