

developed before the magistrate and make his own determination based on the record, without in any way being bound to adopt the findings and conclusions proposed by the magistrate.”³ Upon de novo review, the Court finds that the ’10 case is duplicative of the ’09 case, involving the same parties, interests, facts, and relief sought. Based on the Court’s inherent power to manage its docket and the general principle to avoid duplicative litigation, the ’10 case will be dismissed. The Court notes that in the ’09 case, Plaintiff’s Motion for Service of Process was granted and the case will continue to move forward toward resolution. The dismissal of the ’10 case in no way affects that process.

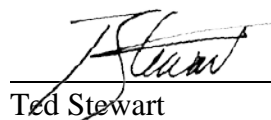
It is therefore

ORDERED that the Magistrate Judge’s Report and Recommendation (Docket No. 23 and 29) is ADOPTED IN FULL. The ’10 case is dismissed as duplicative.

The clerk of the Court is directed to close this case forthwith.

DATED this 28th day of May, 2015.

BY THE COURT:



Ted Stewart
United States District Judge

³ *Sims v. Wyrick*, 552 F. Supp. 748, 750 (W.D. Mo. 1982).