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

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**KRISTINA ZEMAITIENE,**

**Plaintiff,**

**v.**

**SALT LAKE COUNTY, ET AL.,**

**Defendants.**

**ORDER ADOPTING & AFFIRMING  
REPORT & RECOMMENDATION**

**Case No. 2:17-CV-7-DAK-JCB**

**Judge Dale A. Kimball**

**Magistrate Judge Jared C. Bennett**

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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 Paul Warner under 28 U.S.C. § 636(b)(1)(B). Due to Magistrate Judge Warner's retirement, the case was referred to Magistrate Judge Jared C. Bennett. On September 24, 2020, Magistrate Judge Bennett issued a Report and Recommendation, recommending that the court grant Defendant Off Duty Services, Inc.'s Motion to Dismiss [ECF No. 72] and deny Plaintiff's Motion to Strike [ECF No. 73].

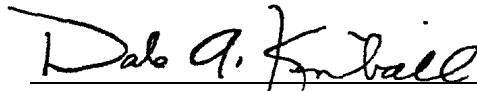
The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation was required to be filed within fourteen days of receiving it. Although the court mailed the Report and Recommendation to Plaintiff twenty-six days ago, Plaintiff has not objected to the Report and Recommendation. There is some question as to whether Plaintiff is aware of the Report and Recommendation because it was returned to the court as undeliverable. However, Plaintiff has a duty to keep a current address on file with the court and to prosecute her case. Her failure to do so cannot preclude the court from proceeding with its duty to review the

Report and Recommendation.

The court has reviewed the two pending motions *de novo* and agrees with the analysis of the Report and Recommendation in its entirety. The court, therefore, adopts the Report and Recommendation as the Order of the court. Accordingly, the court denies Plaintiff's Motion to Strike [ECF No. 73] and grants Defendant Off-Duty Services' Motion to Dismiss [ECF No. 72]. Plaintiff's claims against Off-Duty Services are dismissed with prejudice.

DATED this 20th day of October, 2020.

BY THE COURT:

  
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DALE A. KIMBALL  
United States District Judge