

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

1STARR DALTON,

Plaintiff,

v.

CIVIL ACTION NO. 2:09-cv-01332

BOOKER T. STEPHENS, et al.,

Defendants.

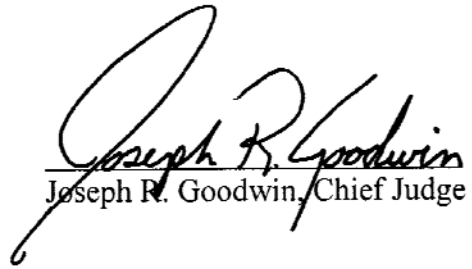
MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation (PF&R) for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the court dismiss the plaintiff's claims [Docket 3].

On February 5, 2010, the plaintiff filed a Letter-Form Request, seeking a sixty-day extension to file objections to the PF&R [Docket 4]. Other than general allegations of inability, the plaintiff failed to supply any reasons for the extension. Having failed to show good cause, the request is **DENIED**.

As such, neither party has filed objections to the Magistrate Judge's findings and recommendation. Accordingly, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge. Accordingly, the plaintiff's are **DISMISSED** as legally frivolous. The court **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge Stanley, counsel of record, and any unrepresented party.

ENTER: March 12, 2010



Joseph R. Goodwin, Chief Judge