

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

HUNTINGTON DIVISION

ALEXANDRA PATRICE BERTOLOTTI,
Plaintiff,

v.

CIVIL ACTION NO. 3:09-0952

DR. SANDRA PRUNTY, Professor,
Marshall University School of Nursing,
College of Health Professionals, et al.,

Defendants.


ORDER

This action was referred to the Honorable Maurice G. Taylor, Jr., United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). Plaintiff filed a Petition for Preliminary Injunction (Doc. #3) and Petition for Injunctive Relief (Doc. #24). The Magistrate Judge has submitted findings of fact and recommended that the motion for temporary restraining order be denied. 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 and **DENIES** the motion for temporary restraining order (Doc. #24), consistent with the findings and recommendation. The Petition for Preliminary Injunction (Doc. #3) is **DENIED** as moot. The Court further **DIRECTS** that this matter be referred to Magistrate Judge Taylor for further findings and recommendation.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Taylor, counsel of record, and any unrepresented parties.

ENTER: September 17, 2009



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE