

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DEXTER ROBERTSON, : NO. 1:11-CV-00423
Plaintiff, :
vs. : ORDER
UNITED STATES ENVIRONMENTAL :
PROTECTION AGENCY, et al., :
Defendants. :
:

This matter is before the Court on the Magistrate Judge's Report and Recommendation (docs. 19), to which there were no objections. The Magistrate Judge recommended the Court grant Defendant's motion to dismiss on the basis that Plaintiff cannot establish subject matter jurisdiction pursuant to 31 U.S.C. § 3711.

Proper Notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct.

Accordingly, the Court hereby ADOPTS and AFFIRMS the Magistrate Judge's Report and Recommendation (doc. 19) in all

respects, GRANTS Defendants' Motion to Dismiss (doc. 15), and terminates this matter on the active docket of the court.

SO ORDERED.

DATED: October 17, 2012 /s/ S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge