

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

JUN 29 2010

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

DAVID BOHMFALK,)

Plaintiff)

v.)

CIVIL NO. SA-09-CA-497-OG

CITY OF SAN ANTONIO, UNKNOWN)

EMPLOYEES OF THE CITY OF)

SAN ANTONIO, et al)

Defendants)

ORDER ACCEPTING MAGISTRATE JUDGE'S RECOMMENDATION

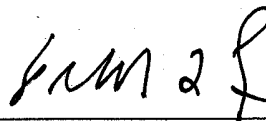
Pending before the Court is the report and recommendation of U.S. Magistrate Judge Nancy Stein Nowak (Dkt. # 47). The parties were served with a copy of the recommendation, and no objections have been filed. Where no party has objected to the Magistrate Judge's recommendation, the Court need not conduct a de novo review. Instead, the Court need only review the recommendation and determine whether it is either clearly erroneous or contrary to law. United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989). The Court has reviewed the report and recommendation and finds it to be neither clearly erroneous nor contrary to law.

It is therefore ORDERED that the recommendation of United States Magistrate Judge Nancy Stein Nowak, filed in this cause on June 4, 2010 be and is hereby ACCEPTED pursuant to 28 U.S.C. § 636(b)(1). It is further ORDERED that the City's motion for summary judgment (Dkt. # 36) is GRANTED, and all claims against the City and its unknown employees are dismissed with prejudice for the reasons stated in the recommendation.

There are no claims remaining against any of the parties, and final judgment may be entered accordingly. The case may then be closed.

It is so ORDERED.

SIGNED AND ENTERED this 29 day of June, 2010.



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE