

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

DEREK SAIDAK,

Plaintiff,

v.

MICHAEL SCHMIDT AND TRUMPET
OF THE LORD,

Defendant.

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) Case No. 3:19-cv-00487
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ORDER ADOPTING THE REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation filed by U.S. Magistrate Judge Debra C. Poplin on October 30, 2020 (ECF No. 65.) In the Report and Recommendation, the Magistrate Judge recommends that the Plaintiff's Motions requesting a preliminary injunction (ECF Nos. 36, 39) be DENIED. (ECF No. 65 at PageID 702.) The Magistrate Judge further recommends that the portion of Defendant's post-hearing brief requesting that the case be dismissed (ECF No. 63 at PageID 657) be STRICKEN as an improperly filed motion. Finally, the Magistrate Judge DIRECTS the Clerk's Office to correct the docket entry for ECF No. 42 to reflect that the filing is "Defendant's Response to Plaintiff's Motions for Preliminary Injunction." (ECF No. 65 at PageID 702.)

"Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Neither party has filed any objections to the Report and Recommendation,

and the time for filing objections expired on November 13, 2020. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee note. On clear-error review of the Magistrate Judge’s Report and Recommendation, the Court hereby **ADOPTS** the Report and Recommendation in its entirety. Accordingly, the Court **DENIES** Plaintiff’s Motions for Preliminary Injunction, **STRIKES** the portion of Defendant’s post-hearing brief requesting dismissal of the case, and **DIRECTS** the Clerk’s Office to correct the docket entry for ECF No. 42 to reflect that the filing is “Defendant’s Response to Plaintiff’s Motions for Preliminary Injunction.”

SO ORDERED, this 20th day of November, 2020.

/s/ Jon P. McCalla
JON P. McCALLA
UNITED STATES DISTRICT JUDGE