

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

NATHAN D. CLIFFORD,)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	No. 06-1111-MLB
)	
PREMIER HOUSING, INC.,)	
)	
Defendant.)	
_____)	

ORDER

On June 27, 2006, defendant's motion to dismiss and plaintiff's motion to amend were referred to Chief Magistrate Judge Karen Humphreys for a Report and Recommendation (Doc. 13). On August 25, 2006, Chief Judge Humphreys filed her recommendation and report recommending that plaintiff's motion to amend be granted and that defendant's motion to dismiss be denied. In her report, Chief Judge Humphreys informed the parties that they had ten days in which to object to the recommendation and report and that if they failed to do so, appellate review of the recommendation and report would be foreclosed. The Tenth Circuit has consistently applied its "firm waiver rule" when a party fails to object to the findings and recommendations of the magistrate in a timely manner. Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991). Since neither party has objected to Chief Judge Humphrey's recommendation and report, the court adopts the recommendation and report in its entirety.

IT IS SO ORDERED.

Dated this 20th day of September 2006, at Wichita,
Kansas.

s/ Monti Belot
Monti L. Belot
UNITED STATES DISTRICT JUDGE