

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

EDDIE JEROME MAYS,

*Plaintiff,*

vs.

Case No. 08-2655-EFM

CENTRAL STATES SOUTHEAST AND  
SOUTHWEST AREAS PENSION FUND  
and UPS PENSION PLAN,

*Defendants.*

**ORDER**

Upon consideration of Magistrate Judge Donald W. Bostwick's Report and Recommendations (Doc. 6) and plaintiff's objection (Doc. 7) this Court accepts the recommended decision of the Magistrate Judge and adopts it as its own. Therefore, this case is dismissed for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. §1915(e).

**IT IS SO ORDERED.**

Dated this 17<sup>th</sup> day of July, 2009, in Wichita, Kansas.

/s Eric F. Melgren  
ERIC F. MELGREN  
UNITED STATES DISTRICT JUDGE