

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JEFFERY CROCKETT,

Plaintiff,

vs.

Case No. 10-2333-JTM

HEARTLAND HABITAT FOR HUMANITY, INC.,

Defendant.

MEMORANDUM AND ORDER

This matter is before the court on the plaintiff's Motion to Strike Affirmative defenses (Dkt. 13). The Motion to Strike was addressed as a Report and Recommendation in the United States Magistrate Judge's Memorandum and Order filed previously in the case. (Dkt. 20). In that Order, Judge Gale granted as uncontested defendant Heartland Habitat for Humanity's Motion for Leave to File an Amended Pleading (Dkt. 15), the purpose of which was to supply information in support of the challenged defenses. (Dkt. 20, at 3). Further, the Order recommended denial without prejudice of the Motion to Strike.

The plaintiff has submitted no objection to this recommendation within the 14 days permitted by Fed.R.Civ.Pr. 72(b) and D.Kan. Rule 72.1.4. Accordingly, the recommendation is adopted, and the Motion to Strike is denied without prejudice.

IT IS SO ORDERED this 10<sup>th</sup> day of February, 2011.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE