

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RONALD CONTOR,

Plaintiff,

File No. 1:07-CV-303

v.

HON. ROBERT HOLMES BELL

PATRICIA CARUSO, et al.,

Defendants.

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**MEMORANDUM OPINION AND ORDER**  
**ADOPTING THE REPORT AND RECOMMENDATION**

On August 14, 2009, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation (“R&R”), recommending that Defendant Keith Ivens’s motion for summary judgment be granted. (Dkt. No. 109.) On August 31, 2009, Plaintiff filed a motion for extension of time to file a response to Defendant’s motion and/or to the R&R. The Court granted this motion. On September 22, 2009, Plaintiff filed a response to the motion for summary judgment within the time set by the Court. (Dkt. No. 113.) Plaintiff’s response consists of unsworn statements indicating that he “admits” or “denies” paragraphs in Defendant’s motion. It does not raise any objection to the R&R, nor does it adequately respond to the summary judgment motion. *See* Fed. R. Civ. P. 56(e)(2) (noting that a party opposing a summary judgment motion “may not rely merely on allegations or denials in its own pleading; rather, its response must--by affidavits . . . set out facts showing a genuine

issue for trial”). The Court has reviewed the R&R and concurs with the conclusions set forth therein.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation (Dkt. No. 109) is **ADOPTED** as the opinion of this Court.

**IT IS FURTHER ORDERED** that the motion for summary judgment filed by Defendant Keith Ivens (Dkt. No. 82) is **GRANTED**. A judgment will be entered that is consistent with this memorandum opinion and order.

**This concludes the case.**

Dated: October 8, 2009

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE