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## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

MARK WAYNE JACKSON,	)
Plaintiff,	)
v.	) CIVIL ACTION NO. 5:10-CV-73 (MTT)
DR. EDWARD H. BURNSIDE and CALVIN RAMSEY,	) ) )
Defendants.	) _)

## **ORDER**

This matter is before the Court on the Recommendation of United States

Magistrate Judge Charles H. Weigle. (Doc. 89). The Magistrate Judge, having
reviewed the Defendants' Motion for Summary Judgment (Doc. 83), recommends
granting the Motion because the Plaintiff failed to create a genuine issue of material fact
with regard to his claims against the Defendants. The Plaintiff filed an objection to the
Recommendation. (Doc. 91). Pursuant to 28 U.S.C. § 636(b)(1), the Court has
thoroughly considered the Objection and has made a de novo determination of the
portions of the Recommendation to which the Plaintiff objects.

The Plaintiff argues that the extensive medical records submitted by the Defendants are really those of another inmate with the same name and medical issues as the Plaintiff. The Plaintiff points to one document out of over 550 pages of medical records to show that the records are not his.<sup>1</sup> However, with the exception of this one

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<sup>&</sup>lt;sup>1</sup> While the page cited does have a different inmate ID number and birthdate than the Plaintiff's, the document also has "error wrong Mark" written on it. (Doc. 83-8 at 17).

page, the medical records appear to be the Plaintiff's, and the Plaintiff does not point to any other discrepancies.

The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. Accordingly, the Motion is **GRANTED**. This case is **DISMISSED**.

SO ORDERED, this 6th day of March, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT