

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

<p>DANIELLE PERRY,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DAVID LEWIS, DALE GIBALDY, and THE VILLAGE OF BELGIUM, a municipal corporation,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 08-CV-2070</p>
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ORDER

A Report and Recommendation (#20) was filed by Magistrate Judge David G. Bernthal in the above cause on August 18, 2008. On August 29, 2008, Plaintiff Danielle Perry filed her Objection to Report and Recommendation (#22). On September 8, 2008, Defendants Dale Ghibaudy¹ and the Village of Belgium filed their Response to Plaintiff's Objection to the Report and Recommendation (#23). Following this court's careful de novo review of the Magistrate Judge's reasoning and Plaintiff's Objection, this court agrees with and accepts the Magistrate Judge's Report and Recommendation (#20). This court agrees that Defendant's Motion to Dismiss (#7) should be GRANTED.

IT IS THEREFORE ORDERED THAT:

(1) The Report and Recommendation (#20) is accepted by this court.

¹The Court notes that Defendants have stated in a later-filed document that Defendant Ghibaudy was incorrectly designated Dale Gibaldy in earlier filings. *See* (#18), p.1.

(2) Defendants' Motion to Dismiss (#7) is GRANTED.

(3) The Complaint (#1) against Defendants Ghibaudy and the Village of Belgium is dismissed with prejudice.

(4) This case is referred to the Magistrate Judge for further proceedings.

ENTERED this 16th day of September, 2008

s/ Michael P. McCuskey
MICHAEL P. McCUSKEY
CHIEF U.S. DISTRICT JUDGE