

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

ROBERT I. SHERMAN,)	
)	
Plaintiff,)	
v.)	Case No. 10-CV-3206
)	
STATE OF ILLINOIS, et al.,)	
)	
Defendants.)	

ORDER

A Report and Recommendation (#28) was filed by Magistrate Judge David G. Bernthal in the above cause on December 10, 2010. On December 22, 2010, Plaintiff Robert I. Sherman filed his Objection to Report and Recommendation (#30). On January 3, 2011, Defendants Friends of the Cross, Inc., and James J. Lingle filed their Response to Plaintiff’s Objection (#31). Defendants State of Illinois, et al., filed their Memorandum in Response to Plaintiff’s Objection (#33) on January 5, 2011. 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 (#28). This court agrees that Defendants’ Motion to Dismiss (#18) and Motion to Dismiss (#24) should be GRANTED.

IT IS THEREFORE ORDERED THAT:

- (1) The Report and Recommendation (#28) is accepted by this court.
- (2) Defendants’ Motion to Dismiss (#18) and Motion to Dismiss (#24) are GRANTED.
- (3) Plaintiff’s Complaint (#1) is dismissed with prejudice as to ALL Defendants.
- (4) Plaintiff’s Motion for Temporary Restraining Order (#11) is MOOT.
- (5) This case is terminated.

ENTERED this 8th day of February, 2011

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