

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

JESSE LEE,

Plaintiff,

v.

DONALD HULICK, *Warden, Menard
Correctional Center*, GARY CONDOR,
*Assistant Warden, Menard Correctional
Center*, MRS. G. GLADSON, *Health Care
Administrator*,

Defendants.

Case No. 07-cv-749-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Magistrate Judge Donald G. Wilkerson's Report and Recommendations ("R & R") (Doc. 52) of August 24, 2010. In said R & R, it is recommended that the Court grant Defendants Donald Hulick and Gary Condor's Motion for Summary Judgment (Doc. 38), dismiss this matter with prejudice, and direct the Clerk of Court to enter judgment accordingly.

After reviewing a report and recommendation, the Court may accept, reject, or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* "If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error." *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Here, neither party has filed an objection to Magistrate Judge Wilkerson's R & R. The Court has reviewed the R & R for clear error and finds that it is not clearly erroneous. As such, the Court

ADOPTS the R & R (Doc. 52) in its entirety, whereby the Court **GRANTS** Hulick and Condor's Motion for Summary Judgment (Doc. 38), **DISMISSES** this action **with prejudice**, and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED

DATED: September 29, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE