

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DENNIS JACKSON,  
  
Plaintiff,

v.

MICHAEL SCHNICKER, RONALD  
WILLIAMS and MINH SCOTT,  
  
Defendants.

Case No. 10-cv-68-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 46) of Magistrate Judge Philip M. Frazier recommending that the Court grant in part and deny in part the defendants’ motion for summary judgment (Doc. 37).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 46);
- **GRANTS in part** and **DENIES in part** the defendants’ motion for summary judgment (Doc. 37). The motion is granted to the extent it seeks summary judgment on Count 2 (deliberate indifference to a serious medical need in violation of the Eighth Amendment)

on the basis of qualified immunity. The motion is denied in all other respects; and

- **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case.

**IT IS SO ORDERED.**

**DATED: October 13, 2011**

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