

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ELIJAH SANTIAGO,

Plaintiff,

v.

DOUGLAS A. KRAUSE, BRAD COLEMAN  
and SEAN WOLTERS,

Defendants.

Case No. 12-cv-988-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (“Report”) of Magistrate Judge Philip M. Frazier (Doc. 116) recommending that the Court deny the motions to dismiss plaintiff Elijah Santiago’s state law battery claims filed by defendants Douglas A. Krause, Brad Coleman and Sean Wolters (Docs. 92 & 108).

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 Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

No party has objected to the Report. The Court has reviewed the Report for clear error and finds none. Accordingly, the Court:

- **ADOPTS** the Report in its entirety (Doc. 116); and
- **DENIES** the defendants’ motions to dismiss (Docs. 92 & 108).

**IT IS SO ORDERED.****DATED: March 27, 2015**

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