IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

JESSE C. PHILLIPS, B62167

Plaintiff,

VS.

Case No. 13-cv-0069-SMY-PMF

MARC HODGE, et al.,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation ("R & R") (Doc. 156) of Magistrate Judge Philip M. Frazier recommending this Court deny Plaintiff Jesse Phillips' Motion for

Leave to File a Cross-Summary Judgment Motion against Defendant Martin (Doc. 155).

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. 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).

The Court has received no objection to the R & R. The Court has reviewed the entire file and

finds that the R & R is not clearly erroneous. Accordingly, the Court **ADOPTS** the R & R (Doc. 156)

and **DENIES** Hammond's request for a preliminary injunction (Doc. 155).

IT IS SO ORDERED.

DATED: January 16, 2015

s/ Staci M. Yandle STACI M. YANDLE **DISTRICT JUDGE**