

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

CHRISTOPHER PYLES,

Plaintiff,

v.

Case No. 3:13-CV-770-NJR-MAB

ROBERT SHEARING, WEXFORD
HEALTH SOURCES, INC., and
MARGARET NWAOBASI, Special
Representative of Samuel Nwaobasi,

Defendants.

MEMORANDUM AND ORDER

ROSENSTENGEL, Chief Judge:

This matter is before the Court on the Report and Recommendation of Magistrate Judge Mark A. Beatty, which recommends the undersigned grant the Motion for Summary Judgment filed by Defendants (Doc. 102).

In July 2013, Plaintiff Christopher Pyles filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983, alleging he received inadequate medical care for his back pain while incarcerated at Menard Correctional Center (Doc. 1). The case initially was dismissed in September 2014 after the Court found that Pyles failed to exhaust his administrative remedies before filing suit. The Seventh Circuit disagreed, however, and remanded the case to the undersigned in August 2016. After engaging in discovery on the merits, Defendants filed a motion for summary judgment on August 31, 2018 (Docs. 102, 103).

On August 21, 2019, Judge Beatty entered the Report and Recommendation currently before the Court, which recommends granting Defendants' motion for several

reasons (Doc. 133). Objections to the Report and Recommendation were due September 4, 2019; no objections were filed.

Where timely objections are filed, this Court must undertake a *de novo* review of the Report and Recommendation. 28 U.S.C. 636(b)(1)(B), (C); FED. R. CIV. P. 72(b); SDIL-LR 73.1(b); *Harper v. City of Chicago Heights*, 824 F. Supp. 786, 788 (N.D. Ill. 1993); *see also Govas v. Chalmers*, 965 F.2d 298, 301 (7th Cir. 1992). But, where neither timely nor specific objections to the Report and Recommendation are made, this Court should only review the Report and Recommendation for clear error. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). The Court may then “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

While *de novo* review is not required here, the Court has reviewed Judge Beatty’s Report and Recommendation for clear error. Following this review, the Court agrees with his findings, analysis, and conclusions. Accordingly, the Court **ADOPTS** Judge Beatty’s Report and Recommendation in its entirety (Doc. 133). The Motion for Summary Judgment filed by Defendants (Doc. 102) is **GRANTED**. This action is **DISMISSED with prejudice**, and the Clerk of Court is **DIRECTED** to enter judgment accordingly and close this case.

IT IS SO ORDERED.

DATED: September 11, 2019



NANCY J. ROSENSTENGEL
Chief U.S. District Judge