

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

SHAUN BRAME,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 14-cv-0410-MJR-SCW
	)	
MARK HODGE,	)	
MARK STORM,	)	
DAVID VAUGHN,	)	
TONY KITTLE,	)	
RYAN SCHOON,	)	
SARAH JOHNSON,	)	
T. KEEN, and	)	
JOHN COE, M.D.,	)	
	)	
Defendants.	)	

ORDER DISMISSING DEFENDANT COE

REAGAN, Chief Judge:

In April 2014, Shaun Brame (Plaintiff) -- an inmate at Lawrence Correctional Center -- filed suit in this Court under 42 U.S.C. 1983, alleging deprivation of his federally-secured constitutional rights. He also presented claims under a federal statute (RLUIPA, 42 U.S.C. 2000cc, et seq.) plus state law claims for battery and intentional infliction of emotional distress. On threshold screening of the complaint under 28 U.S.C. 1915A, the undersigned determined that certain claims warranted dismissal but that other claims would proceed, including a First Amendment free exercise claim for damages, a First Amendment free exercise claim for injunctive relief, a RLUIPA claim for injunctive relief, and the claim for intentional infliction of emotional distress (see

Doc. 8, p. 10). Service was ordered on eight Defendants: Vaughn, Coe, Hodge, Storm, Kittle, Schoon, Johnson and Keen (*id.*, p. 11). Defendants answered and appeared, motions were filed and resolved. Six Defendants withdrew their affirmative defense of exhaustion in November 2014 (Doc. 50).

On November 25, 2014, Defendant Coe moved for summary judgment (Doc. 51). The Honorable Stephen C. Williams, the United States Magistrate Judge to whom the case is referred, held a hearing June 26, 2015 on the summary judgment motion. At that hearing, Plaintiff moved to voluntarily dismiss Defendant Coe with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2).

On June 26, 2015, Judge Williams submitted a Report (Doc. 70) recommending that the undersigned District Judge grant Plaintiff's motion for voluntary dismissal, dismiss with prejudice Plaintiff's claims against Defendant Coe, and deny as moot Defendant Coe's summary judgment motion.

Judge Williams set a deadline by which objections to the Report and Recommendation must be filed. That deadline elapsed, and no objection has been filed. Accordingly, pursuant to 28 U.S.C. 636(b), the undersigned Judge need not conduct de novo review of the Report and Recommendation. **28 U.S.C. 636(b)(1)(C)** ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). *See also Thomas v. Arn*, 474 U.S. 140 (1985); *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 741 (7th Cir. 1999); *Video Views Inc., v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986).

Accordingly, the Court **ADOPTS** Judge Williams' Report and Recommendation (Doc. 70), **GRANTS** Plaintiff's oral motion to voluntarily dismiss Defendant Coe *with prejudice* under Federal Rule of Civil Procedure 41(a)(2), and **DENIES AS MOOT** Defendant Coe's motion for summary judgment (Doc. 51).

IT IS SO ORDERED.

DATED July 14, 2015.

*s/ Michael J. Reagan*  
Michael J. Reagan  
Chief Judge  
United States District Court