

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MICHAEL WIDMER,

Plaintiff,

v.

Case No. 14-cv-630-JPG-PMF

KIMBERLY BUTLER, PHELPS, MICHAEL
AHREND, SGT PELKER, SGT BLEDSOE, MAJOR
WESTFALL, C. ROTH, REDNOUR, SUSAN HILL,
CHANDLER, ALEX JONES, SGT EVOLDI, MEZO,
ANTHONY, W SPILLER, A BENNETT, BROCK, M
BAKER, M WARHAUSEN, GOETZ, LINDENBERG,
PHILLIPS, JIMMY HOPPENSTATT, BRIAN
LIVINGSTON, DANIEL DUNN, JERRY WITTHOF,
MARK CASPER, RYAN DAVIS, KEVIN FEDDERKE,
C/O DOUGLAS KRAUSE, KENNETH SMITH, SCOTT
STEWART and TIMOTHY WEAVER

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 57) of Magistrate Judge Philip M. Frazier recommending that the Court construe the Amended Complaint to contain six counts, dismiss some of those counts, and deny plaintiff Michael Widmer’s motions for a preliminary injunction (Docs. 4, 19 & 43).

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).

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. 57);
- **CONSTRUES** the Amended Complaint to contain the six causes of action described in the Report;
- **DISMISSES** Count 5 against defendants Butler, Jones and Westfall **with prejudice**;
- **DISMISSES** Count 6 **without prejudice**;
- **DENIES** Widmer's motions for a preliminary injunction (Docs. 4, 19 & 43); and
- **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case

IT IS SO ORDERED.

DATED: August 1, 2014

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