

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JEFFREY BAKER,

Plaintiff,

v.

Case No. 15-cv-600-JPG-DGW

ROBERT HERTZ, JOHN LAKIN, GARY BOST,
DONALD BUNT, ROBERT HOLLENBACH,
RANDY YOUNG, LT. HILL, MIRAN
THOMPSON, SGT. DOVER, JODIE COLLMAN,
PAUL SARHAGE, STEVE RIDINGS, DONALD
McNAUGHTON, KENT GRIFFITH, TIM
WALKER, CRAIG RICHERT, MIKE TASSOME,
MIKE HARE, OFCR. MARK SPURGEON, BLAKE
SELLERS, MARK RYAN, MATT MILLER,
ROBERT BLANKENSHIP, MARTHA MAJOR,
ALICIA RUSHING, and VALERIE BASSETS,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 76) of Magistrate Judge Donald G. Wilkerson recommending that the Court deny the motion to dismiss or, in the alternative, for summary judgment filed or joined by all defendants (Docs. 54 & 64).

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. 76); and
- **DENIES** the defendants' motion to dismiss or, in the alternative, for summary judgment (Doc. 54).

IT IS SO ORDERED.

DATED: April 27, 2016

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