

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

ANTHONY DONALDSON,)
)
Plaintiff,)
)
vs.) Case No. 16-cv-1128-MJR-SCW
)
RAY ALLEN,)
)
Defendant.)

MEMORANDUM & ORDER

REAGAN, Chief Judge:

Pro se Plaintiff Anthony Donaldson filed suit pursuant to 42 U.S.C. § 1983 against Defendant Ray Allen for excessive force (Count I) and failure to provide medical treatment following Allen’s alleged use of force (Count II). Allen filed a motion for summary judgment on the basis that Donaldson failed to exhaust his administrative remedies (Doc. 21) to which Donaldson responded (Doc. 31). Magistrate Judge Stephen C. Williams held a hearing on Donaldson’s motion on December 14, 2017, and later issued a report & recommendation (Doc. 37) recommending that the undersigned deny Allen’s motion. Donaldson timely filed objections to the report & recommendation (Doc. 38). Defendant Allen did not respond to the objections.

Timely objections having been filed, typically, the Court undertakes *de novo* review of the portions to the Report to which Plaintiff specifically objected. **28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); SDIL-LR 73.1(b)**. The undersigned can accept, reject, or modify Magistrate Judge Williams’ recommendations, receive further evidence, or

recommit the matter with instructions. *Id.* Here, however, Magistrate Judge Williams recommended that the Court rule in Donaldson's favor, and Donaldson's objections reiterate general allegations and positions he has taken thus far in this litigation. He indicates that he objects not to the report & recommendation but to Defendant's motion for judgment. He requests that the undersigned deny the motion for summary judgment. Given the recommendation that the motion for summary judgment be denied, further review of Donaldson's generalized objections is unnecessary.

Accordingly, the undersigned **ADOPTS** in its entirety the report & recommendation submitted by Judge Williams (Doc. 37) and **DENIES** Defendant Allen's motion for summary judgment (Doc. 21).

IT IS SO ORDERED.

DATED: March 13, 2018

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