

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

DREW M. MOIR,

Plaintiff,

v.

No. 17-cv-66-DRH-RJD

**TIMOTHY J. AMDAHL and DAVID W.
RAINS,**

Defendants.

MEMORANDUM and ORDER

HERNDON, District Judge:

Pending before the Court is an October 9, 2018 Report and Recommendation (“the Report”) issued by Magistrate Judge Reona J. Daly. (Doc. 36). Judge Daly recommends that the Court grant Defendant Rains’ motion for summary judgment (Doc. 31) and deny Defendant Amdahl’s motion for sanctions. (Doc. 34). The recommendation to grant Rains’ motion for summary judgment on Plaintiff’s claim for injunctive relief was made because “there is no evidence that Plaintiff is likely to be transferred back to Robinson as he is no longer in IDOC custody.” (Doc. 36, p. 3). The recommendation to deny Amdahl’s motion for sanctions for Plaintiff’s failure to appear at his scheduled deposition was made because “it appears Plaintiff’s deposition was scheduled about the same time Plaintiff was detained or incarcerated in Iowa. Moreover, it appears Plaintiff would not have been able to respond to Defendant’s motion as he likely did not receive a

copy of the same given his circumstances.” *Id.* at p.4-5.

The Report was sent to the parties with a notice informing them of their right to appeal by way of filing “objections” within (14) days of service. (*See* Doc. 36, p. 5). To date, neither party has filed objections and the period in which to file objections has expired. Therefore, pursuant to 28 U.S.C. § 636(b), the Court need not conduct *de novo* review of this matter. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985).

Accordingly, the Court **ADOPTS** the Report in its entirety (Doc. 36). The Court **GRANTS** Rains’ motion for summary judgment (Doc. 31), **DENIES** Amdahl’s motion for sanctions (Doc. 34), and enters judgment in favor of Rains and against Moir. Clerk to terminate Rains as a defendant on the Court’s docket.

IT IS SO ORDERED.

  Judge Herndon
2018.10.29
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United States District Judge