

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KENNETH HOUCK,

Plaintiff,

v.

Case No. 17-cv-474-JPG-SCW

UNITED STATES OF AMERICA,
RANDALL PASS, FEDERAL BUREAU OF
PRISONS, MS. BAGWELL, LESLIE
BROOKS, and MS. HARBISON,,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 30) of Magistrate Judge Stephen C. Williams recommending that the Court grant the motions to dismiss for lack of subject matter jurisdiction filed by defendants Bagwell and Harbison (Docs. 23 & 25).

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. 30);
- **GRANTS** defendant Bagwell’s motion to dismiss (Doc. 23) and defendant Harbison’s motion to dismiss (Doc. 25);

- **DISMISSES** all claims against Bagwell and Harbison **without prejudice for lack of subject matter jurisdiction**;
- **DENIES** all other pending motions (Docs. 28 & 29) as **MOOT** in light of the termination of all the claims in this case; and
- **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: December 6, 2017

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