

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

JAMES MUNSON,

Plaintiff,

v.

L. OVERALL, *et al.*,

Defendants.

Case No. 3:17-cv-01277-JPG-DGW

MEMORANDUM AND ORDER

J. PHIL GILBERT, DISTRICT JUDGE

This matter comes before the Court on the Report and Recommendations (“Report”) (Doc. 49) of Magistrate Judge Donald G. Wilkerson regarding the plaintiff’s motion for a preliminary injunction. 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).

Here, Munson has asked the Court for a preliminary injunction to ensure that the defendants do not destroy his dental x-rays before he can obtain them in the discovery process. Magistrate Judge Wilkerson correctly recommends that the Court deny the motion because there is no reason to think that Munson will suffer any irreparable harm: there is no evidence that the defendants have even considered destroying any files in this case, and Munson’s motion is predicated solely on another inmate’s statements that Lawrence Correctional Center—where Munson is housed—for some reason has a propensity to destroy x-rays. Munson has filed what

the Court construes as an objection, but it basically reasserts his request that the dental records be maintained. (Doc. 51.) In an abundance of caution, the Court has conducted a de novo review of the file and finds that Munson's objection is without merit. Accordingly, the Court **ADOPTS** the Report in its entirety (Doc. 49) and **DENIES** Munson's motion for a preliminary injunction (Doc. 2).

IT IS SO ORDERED.

DATED: JUNE 29, 2018

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