

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
at ASHLAND

Eastern District of Kentucky

**FILED**

SEP 20 2012

AT ASHLAND  
ROBERT R. CARR  
CLERK U.S. DISTRICT COURT

**CIVIL ACTION NO. 10-62-HRW**

**MICHAEL CAMPBELL,**

**PLAINTIFF,**

**v.**

**ORDER**

**BOYD COUNTY, KENTUCKY, et al.,**

**DEFENDANTS.**

This matter is before the Court upon Defendants' Motion for Summary Judgment [Docket No. 93].

Pursuant to 28 U.S.C. § 636(b), the undersigned referred the motion to Magistrate Judge CANDACE J. Smith for a report and recommendation [Docket No. 104].

On August 15, 2012, the Magistrate issued her report and recommendation that the motion be sustained [Docket No. 124]. Specifically, concluded that Plaintiff's medical negligence claims are time barred.

Plaintiff filed timely objections to the Magistrate's Report and Recommendation [Docket No. 125]. The Court having reviewed the objections, as well as the record, finds nothing therein which would contradict or call into question the findings of the Magistrate. The Objections are, essentially, a reiteration of the arguments set forth in Plaintiff's response to Defendants' motion. Those arguments were considered and rejected by the Magistrate Judge and Plaintiff offers no additional argument which would persuade this Court to differ with the Magistrate Judge's recommendation.

Thus, the Court shall adopt the report and recommendation as and for its own opinion.

Accordingly, **IT IS HEREBY ORDERED** that the Magistrate Judge's report and recommendation [Docket No. 124] is hereby, **APPROVED** and **ADOPTED** as for the opinion of the Court and, that in conformity therewith, the Defendants' Motion for Summary Judgment [Docket No. 93] is hereby **SUSTAINED**. A judgment in favor of the Defendants will be entered contemporaneously herewith.

This 20<sup>th</sup> day of September, 2012.



Signed By  
Henry R. Wilhoit, Jr.  
United States District Judge

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Henry R. Wilhoit, Jr., Senior Judge