

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION AT LONDON

NAMAIRE Q. ANDREWS,

Plaintiff,

v.

JAILER JAMIE MOSLEY, et al.,

Defendants.

NO. 6:21-CV-45-KKC-HAI

OPINION AND ORDER

This matter is before the Court on Defendants' motions for summary judgment (DEs 78, 79), Plaintiff's motion to dismiss (DE 82), and the magistrate judge's report and recommendation. (DE 86.)

Plaintiff Andrews brought a § 1983 claim against Defendants arising from a stroke that he suffered while incarcerated. The magistrate judge found that Andrews's claim cannot survive summary judgment because he could not satisfy the elements for his deliberate indifference claim and did not file any responses to defendants' motions for summary judgment. (*Id.* at 6.) Accordingly, the magistrate judge has recommended that the Court grant Defendants' motions for summary judgment and deny Andrews's motion to dismiss. Plaintiff has not filed any objections to the recommendation. Further, the Court has reviewed the recommendation and agrees with its analysis.

Accordingly, the Court hereby ORDERS as follows:

- 1) The Report and Recommendation (DE 86) is ADOPTED as the Court's opinion;
- 2) Defendants' motions for summary judgment (DE 78, 79) are GRANTED;
- 3) Plaintiff's motion to dismiss (DE 82) is DENIED; and
- 4) A judgment consistent with this order and the Report and Recommendation will be entered.

This 21st day of September, 2023.



Karen K. Caldwell

KAREN K. CALDWELL

UNITED STATES DISTRICT JUDGE

EASTERN DISTRICT OF KENTUCKY