

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARK REED-BEY,

Plaintiff,

vs

Case No: 06-10934  
Honorable Victoria A. Roberts

GEORGE PRAMSTALLER, ET AL,

Defendants.

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**ORDER**

Before this Court is a Report and Recommendation (Doc. #178), Defendant Vadlamudi's Objections (Doc. #180) and Mr. Reed-Bey's letter (Doc. 181).

The Court will not grant Mr. Reed-Bey's request for additional time to file objections. A proof of service indicates a copy of the Report and Recommendation was mailed to Mr. Reed-Bey at the correct address. Mr. Reed-Bey did receive the Defendant's objections.

The Court has carefully reviewed the Report and Recommendation and Defendant's objections. The Court finds no error in the conclusions reached by Magistrate Judge Whalen.

Accordingly:

- (1) Defendant's objections are overruled;
- (2) Defendant Vadlamudi's Motion for Summary Judgment is **DENIED** as to the Eighth Amendment claim against her;
- (3) Defendants' DuBuc and Jackson's Motion for Summary Judgment is

**GRANTED;**

- (4) Defendants' motion on Plaintiff's state law claim of medical malpractice is **GRANTED**. The Court declines supplemental jurisdiction and dismisses the claim without prejudice; and
- (5) Plaintiff's motion for partial summary judgment is **DENIED**.

Trial will be restricted to medical issues Mr. Reed-Bey experienced in September and October, 2005, and whether Dr. Valumudi was deliberately indifferent to those medical needs.

Trial will proceed on the Eighth Amendment Claim only, as to Dr. Vadlumudi.

**IT IS ORDERED.**

/s/ Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: March 23, 2012

The undersigned certifies that a copy of this document was served on the attorneys of record and Mark Reed-Bey, #151290, Gus Harrison Correctional Facility, 2727 Beecher Street, Adrian, MI 49221 by electronic means or U.S. Mail on March 23, 2012.

S/Linda Vertriest

Deputy Clerk