

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTY SIMS #351079,

Plaintiff,

v

Case No. 07-10117

PATRICIA CARUSO, JOHN
RUBITSCHUN, ENID LIVINGSTON,
and JOHN QUINLAN,

DISTRICT JUDGE ARTHUR J. TARNOW
MAG. JUDGE R. STEVEN WHALEN

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

There having been no objection to Magistrate Judge Whalen's Report and Recommendation [Docket #35] filed February 10, 2009 and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the Report and Recommendation of Magistrate Judge Whalen is ADOPTED and Defendants' Motion to Dismiss/Summary Judgment is GRANTED.

s/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: March 3, 2009

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on March 3, 2009, by electronic and/or ordinary mail.

s/Catherine A. Pickles
Judicial Secretary