

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FRANK NALI,

Plaintiff,

v.

PATRICIA CARUSO, *et al.*,

Defendants.

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Case No. 07-10831

DISTRICT JUDGE  
ARTHUR J. TARNOW

MAGISTRATE JUDGE  
DONALD A. SCHEER

**ORDER**

**ADOPTING THE REPORT AND RECOMMENDATION [85];**

**DENYING AS MOOT**

**PLAINTIFF'S MOTION TO COMPEL DISCOVERY [76] and**

**DEFENDANTS' MOTION TO STAY DISCOVERY [79];**

**GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT [78];**

**and**

**DISMISSING CASE**

Before the Court is the Magistrate Judge's Report and Recommendation [85] of July 30, 2008. The Report and Recommendation recommended that Defendants' Motion for Summary Judgment [78] be granted and this case dismissed, and that Plaintiff's Motion to Compel Discovery [76] and Defendants' Motion to Stay Discovery [79] be denied as moot.

On August 13, 2008, Plaintiff filed an Objection [86], to the Report and Recommendation. Defendants did not file a Response.

After reviewing the Report and Recommendation [85], Plaintiff's Objection [86], and the relevant pleadings, the Court accepts the Magistrate's analysis and **ADOPTS** the Report and Recommendation.

Therefore, the Court being fully advised in the premises,

**IT IS HEREBY ORDERED** that Defendant's Motion for Summary Judgment is

**GRANTED.**

Furthermore, **IT IS ORDERED** that Plaintiff's Motion to Compel Discovery [76] and Defendants' Motion to Stay Discovery [79] are **DENIED** as moot.

The case is **DISMISSED** in its entirety.

**SO ORDERED.**

S/ARTHUR J. TARNOW  
Arthur J. Tarnow  
United States District Judge

Dated: December 31, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record and Frank Nali #449422, PARR HIGHWAY CORRECTIONAL FACILITY, 2727 EAST BEECHER ST. ADRIAN, MI 49221 on December 31, 2008, by electronic and/or ordinary mail.

S/LISA WARE FOR THERESA E. TAYLOR  
Case Manager