UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

QURTIS WILLIAMS,

      Plaintiff,

                                  Case No. 07-10999

v.

                                  HONORABLE DENISE PAGE HOOD

WILLIAM KELLEY, et al.,

      Defendants.

_____ /

ORDER ACCEPTING REPORT AND RECOMMENDATION [DOCKET NO. 61]

I.   **BACKGROUND**

This matter is before the Court on Magistrate Judge Michael Hluchaniuk's Report and Recommendation on Defendants' Motions for Summary Judgment **[Docket No. 61, filed August 22, 2008]**, recommending that Defendants' motions to dismiss and/or for summary judgment be granted, and Plaintiff's complaint be dismissed with prejudice.

No objections were filed to the Report and Recommendation.

II.   **LEGAL STANDARD**

The standard of review to be employed by the Court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). This Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." *Id*.

III.   **ANALYSIS**

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Plaintiff alleges that Defendant Kelley improperly disclosed personal information about him to other prisoners, confiscated Plaintiff's personal property, and retaliated against Plaintiff after he filed a grievance. *See* Pl. Am. Compl., ¶ 1. Plaintiff further alleges that Defendant Woodard lied in the investigation of Defendant Kelley's actions, and also refused to accept Plaintiff's legal mail via the expedited process set forth in the MDOC policy directive. *Id.* at ¶ 2. Plaintiff alleges that Defendant Metzmaker failed to remedy the violations committed by Defendants Kelley and Woodard and told Plaintiff that he would be transferred if he continued to exercise his first amendment rights. *Id.* at ¶ 3. Plaintiff further alleges that Defendant McRoberts failed to remedy the violations of defendants Kelley, Woodard, and Metzmaker and approved Plaintiff's retaliatory transfer, resulting in the interference with Plaintiff's medical treatment. *Id.* at ¶ 4. Plaintiff alleges that Defendant Newsome retaliated against him by filing a false minor misconduct ticket against him. *Id.*

Plaintiff further contends that Defendant Swiegert, the grievance coordinator, retaliated against him by inappropriately interpreting Policy Directive 03.01.130 (governing prisoner grievances) and denying Plaintiff's grievance. *Id.* at ¶ 6. Plaintiff claims that Defendant Kisor, the transfor coordinator, retaliated against him by approving the transfer that interfered with his medical treatment. *Id.* at ¶ 7. Plaintiff asserts that Defendant Webb failed to remedy the wrongs committed by Defendants Kelley, Newsome, and Woodard. *Id.* at ¶ 8. Plaintiff also claims that Defendant DeLeeuw, an assistant deputy warden, failed to remedy the wrongful retaliatory transfer. *Id.* at ¶ 9. Lastly, Plaintiff alleges that Defendant Romanowski, the warden, failed to remedy wrongful retaliation and was grossly negligent in managing his subordinates. *Id.* at ¶ 10.

This Court has reviewed Magistrate Judge Hluchaniuk's Report and Recommendation on Defendants' Motions for Summary Judgment, and ACCEPTS and ADOPTS its findings of fact and law.

III.   CONCLUSION

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Michael Hluchaniuk **[Docket No. 61, filed August 22, 2008]** ACCEPTED and ADOPTED as this Court's finding and conclusions of law.

IT IS FURTHER ORDERED that the Defendants' Motion for Summary Judgment **[Docket No. 29, filed February 11, 2008]** is GRANTED.

IT IS FURTHER ORDERED that this case is DISMISSED with prejudice.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: September 26, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record and Qurtis Williams, Reg. No. 265055, 293 Auburn Ave., Pontiac, MI 48342 on September 26, 2008, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager