

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

EMMETT JONES, #128276,  
Plaintiff,

v.

DR. JONATHAN ALTMAN,  
Defendant.

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Case No. 07-13896  
Hon. Anna Diggs Taylor  
Magistrate Judge Donald A. Scheer

**ORDER ACCEPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Donald A. Scheer's Report and Recommendation of August 29, 2008, granting Defendant's Motion to Dismiss [d/e-20], denying Plaintiff's Motion for Subpoena to Conduct Discovery [d/e-24], and finding Defendant's Motion to Stay Discovery [d/e-21] as moot.

The Court has reviewed the file, the Magistrate Judge's Report and Recommendation, and Plaintiff's objections [d/e-27]. The Court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

Therefore, the Court will accept the Magistrate's Report and Recommendation of August 29, 2008 as the findings and conclusions of this Court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Scheer's Report and Recommendation of August 29, 2008 is ACCEPTED and ADOPTED.

IT IS SO ORDERED.

DATED: October 29, 2008

**s/Anna Diggs Taylor**  
ANNA DIGGS TAYLOR  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on October 29, 2008.

Emmett Jones, #128276  
Saginaw Correctional Facility  
9625 Pierce Road  
Freeland MI 48623

s/Johnetta M. Curry-Williams  
Case Manager