

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

DARRYL TOLAND,

Plaintiff,

v.

Case No. 08-11082

JOHN WOODARD and BRENDA DIBBLE,

District Judge Arthur J. Tarnow

Defendants.

Magistrate Judge Donald A. Scheer

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**ORDER ADOPTING REPORT AND RECOMMENDATION [13];
AND GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT [10]**

Before the court are plaintiff's objections to M.J. Scheer's report and recommendation.

On the basis of qualified immunity, the court ADOPTS the report and recommendation. The defendants' motion for summary judgment is GRANTED.

SO ORDERED.

S/ARTHUR J. TARNOW

Arthur J. Tarnow

United States District Judge

Dated: January 30, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 30, 2009, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR

Case Manager