

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK HALL,

Plaintiff,

vs.

Civil Action No.
08-CV-13183

HON. BERNARD A. FRIEDMAN

PATRICIA L. CARUSO, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

This matter is presently before the Court on Magistrate Judge Charles E. Binder's Report and Recommendation ("R&R") dated September 16, 2008. In his R&R, Magistrate Judge Binder recommends that Plaintiff's Complaint be dismissed with prejudice as to all defendants herein except Defendants Gladney, Hayes, and Vadlamudi.

On October 6, 2008, Plaintiff filed objections to the Magistrate Judge's R&R. Plaintiff included within his objections a request for additional time in which to file proper objections to the R&R. On October 7, 2008, the Court issued an order granting Plaintiff's request for additional time and ordered Plaintiff to file any additional objections no later than November 10, 2008. On November 10, 2008, Plaintiff filed additional objections.

The Court has reviewed this matter *de novo*. See FED. R. CIV. P. 72(b). The Court finds that Magistrate Judge Binder correctly and thoroughly analyzed the issues presented and that he reached the proper conclusions for the proper reasons. Therefore, the Court will accept and adopt the Magistrate Judge's R&R as the findings and conclusions of the Court. Accordingly,

IT IS ORDERED that Magistrate Judge Binder's R&R is accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Plaintiff's official capacity claims are dismissed. *See* 28 U.S.C. § 1915(e)(2)(A)(ii).

IT IS FURTHER ORDERED that the Complaint is dismissed with respect to Defendants Caruso, Romanaski, Whitefield, Jones, Armstrong, Siaiken, Smith, Moore, Grzembski, Payne, Maxwell, and Quinn. *See* 28 U.S.C. § 1915(e)(2)(A)(ii).

_____/s/Bernard A. Friedman_____
BERNARD A. FRIEDMAN
CHIEF UNITED STATES DISTRICT JUDGE

Dated: November 13, 2008
Detroit, Michigan

I hereby certify that a copy of the foregoing document was served upon counsel of record by electronic and/or first-class mail.

S/Carol Mullins
Case Manager to Chief Judge Friedman