

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARIO CLARKE,

Plaintiff,

vs.

RANDY UMBARGER, et al.,

Defendants.

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Civil Action No.  
09-CV-11246

HON. BERNARD A. FRIEDMAN

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

Magistrate Judge Donald A. Scheer has submitted a Report and Recommendation (“R&R”) in which he recommends that the court grant defendants’ motion to dismiss or for summary judgment. No objections to this R&R have been filed and the deadline for doing so has expired. The court has reviewed the matter and concludes that the R&R correctly analyzes all of the issues and makes a sound recommendation. Accordingly,

IT IS ORDERED that Magistrate Judge Sheer’s R&R is accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that defendants’ motion to dismiss or for summary judgment [docket entry 22] is granted.

Dated: September 15, 2009  
Detroit, Michigan

s/Bernard A. Friedman  
BERNARD A. FRIEDMAN  
UNITED STATES DISTRICT JUDGE