

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

ROBERT SADLER, #147503,

Plaintiff,

v.

Case No. 09-cv-11375

Hon. Anna Diggs Taylor

Magistrate Judge Mark A. Randon

MICHIGAN DEPARTMENT
OF CORRECTIONS, THOMAS
K. BELL, VIRGIL WEBB, ARUS
MONAHAN, RUM D. ANDISON,
OFFICER TERRILL, and
OFFICER GALLUP,

Defendants.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

(Docket Entry 26)

This matter is before the court on Magistrate Judge Mark A. Randon's Report and Recommendation of November 9, 2009, recommending that Defendants Monihan, Gallup and Terrill's Motion for Summary Judgment be granted in-part and denied in-part.

The court has reviewed the file, Defendants' Objection, and the Magistrate Judge's Report and Recommendation. Plaintiff did not file an Objection. 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 November 9, 2009, as the findings and conclusions of this court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Randon's Report and Recommendation of November 9, 2009, is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Defendants Monihan, Gallup and Terrill's Motion for Summary Judgment is **GRANTED IN-PART and DENIED IN-PART**.

IT IS SO ORDERED.

DATED: February 2, 2010

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 February 2, 2010.

Robert Sadler, #147503
Gus Harrison Correctional Facility
2727 East Beecher Street
Adrian, MI 49221

s/Johnetta M. Curry-Williams
Case Manager