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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

Frederick Smith, #158371,	
Plaintiff,	Case No. 12-11373
	Honorable Nancy G. Edmunds
V.	ŕ
Daniel Heyns, et al.,	
Defendants.	

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S JUNE 21, 2013 REPORT AND RECOMMENDATION [74]

This matter is before the Court on the magistrate judge's June 21, 2013 report and recommendation on four motions on Plaintiff Frederick Smith's 42 U.S.C. § 1983 prisoner rights suit regarding his right to parole in state prison and actions that he alleges various prison officials took against him that violated his constitutional rights, the Americans with Disabilities Act, the Rehabilitation Act, and state laws. (Dkt. 74, RR.) The magistrate judge recommended denying Plaintiff's motion to stay the summary judgment motions so that discovery may go forth, denying Plaintiff's second motion for leave to amend, granting Defendants' motions for summary judgment, and declining to exercise supplemental jurisdiction over the remaining state law claims. (RR at 2.)

Plaintiff has objected to the magistrate judge's report and recommendation. (Dkt. 75.)

Being fully advised in the premises, having read the pleadings and the magistrate judge's recommendation, and having conducted a de novo review of Plaintiff's objections,

the Court agrees with the magistrate judge's report and recommendation and accepts and

adopts it. (Dkt. 74.) The Court overrules Plaintiff's objections. (Dkt. 75.)

The Court therefore: DENIES Plaintiff's second motion to stay summary judgment

(dkt. 70); DENIES Plaintiff's second motion for leave to amend (dkt. 65) and GRANTS

Defendants' motions for summary judgment (dkt. 59, 69). The Court also declines to

exercise supplemental jurisdiction over any state law claim. No claims are left pending; the

Court will issue a judgment in connection with this case.

So ordered.

s/Nancy G. Edmunds

Nancy G. Edmunds

United States District Judge

Dated: July 31, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record

on July 31, 2013, by electronic and/or ordinary mail.

s/Johnetta M. Curry-Williams

Case Manager

Acting in the Absence of Carol A. Hemeyer

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