

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK SMITH,

Plaintiff,

v.

CASE NO: 15-CV-10090-DT

MR. DOYLE, C. JOHNSON,
T. CRAWFORD, D. SCOTT, AND
SEAN LOCKHART,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter was referred to United States Magistrate R. Steven Whalen pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In his report filed on July 5, 2017, the magistrate judge recommended that this court grant Defendants Debra Skutt and Sean Lockhart's [Dkt # 40] Motion for Summary Judgment. He further recommended that Defendant Cary Johnson be sua sponte dismissed with prejudice. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.¹

Having reviewed the file and the report, the court concludes that the findings and conclusions of the magistrate judge are correct and ADOPTS the same for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' [Dkt # 40] Motion for Summary Judgment is GRANTED and that Defendants Debra Skutt and Sean Lockhart are DISMISSED WITH PREJUDICE.

¹The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

IT IS FURTHER ORDERED that Defendant Cary Johnson is *sua sponte* DISMISSED WITH PREJUDICE.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 29, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 29, 2017, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522