

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

George Wilson,

Plaintiff,

v.

Cindy Olmstead, *et. al.*,

Defendants.

Case No. 16-10847

Honorable Sean F. Cox

Magistrate Judge Stephanie Dawkins Davis

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

Plaintiff George Wilson (“Plaintiff”), a prisoner confined in the Michigan Department of Corrections, filed this *pro se* 42 U.S.C. § 1983 action against Defendants¹ Cindy Olmstead, Chandler Cheeks, Corby DeForest, Randall Haas, Jennifer Rohrig, and Michigan Braille Transcribing Fund alleging violations of his First and Fourteenth Amendment rights. (Doc. # 1). All pretrial matters in this case were referred to Magistrate Judge Stephanie Dawkins Davis for issuance of a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). (Doc. # 7).

Sometime thereafter, Defendants Chandler Cheeks, Corby DeForest, Randall Haas, and Jennifer Rohrig filed a motion to dismiss, arguing that Plaintiff had not sufficiently pleaded that the MDOC defendants violated any clearly established rights and that the defendants were entitled to qualified immunity. (Doc. # 16).

On February 17, 2017, Magistrate Judge Davis issued a Report and Recommendation

¹ Defendants point out that two of the defendants’ names are misspelled in the caption of the complaint: (1) Coby Deforest is correctly spelled Corby DeForest; and (2) Randall Hass is correctly spelled Randall Haas. The Court shall refer to these defendants by the correct spelling of their names.

("R&R"), wherein she recommended that this Court GRANT Defendants' motion in its entirety and that Defendants Cheeks, DeForest, Haas, and Rohrig be dismissed with prejudice. (Doc. # 28, R&R at).

Pursuant to Civil Rule 72, a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. Fed. R. Civ. P. 72(b)(2). "The district judge must determine *de novo* any part of the magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b)(3).

Neither party has filed objections to the R&R and the time for doing so has passed. Furthermore, the Court agrees with the Magistrate Judge's recommendation. Therefore, the Court hereby **ADOPTS** the February 17, 2017 R&R. **IT IS THEREFORE ORDERED** that the MDOC Defendants' Motion to Dismiss (Doc. # 16) is **GRANTED** in its entirety and that MDOC Defendants Chandler Cheeks, Corby DeForest, Randall Haas, and Jennifer Rohrig are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

Dated: March 17, 2017

s/Sean F. Cox
Sean F. Cox
U. S. District Judge

I hereby certify that on March 17, 2017, the foregoing document was served on counsel of record via electronic means and upon George Wilson via First Class mail at the address below:

George Wilson 199258
EARNEST C. BROOKS CORRECTIONAL FACILITY
2500 S. SHERIDAN DRIVE
MUSKEGON HEIGHTS, MI 49444

s/J. McCoy
Case Manager