

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT MICHAEL BAGETTA, et al.,

Plaintiffs,

Case No. 1:07-cv-27

v

HON. JANET T. NEFF

PATRICIA CARUSO, et al.,

Defendants.

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JUDGMENT

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation, recommending that this Court grant Defendants' motion and enter judgment for Defendants. The Report and Recommendation was duly served on the parties. No objections have been filed, see 28 U.S.C. § 636(b)(1), and the Court issues this Judgment pursuant to FED. R. CIV. P. 58.

THEREFORE, IT IS ORDERED that the Report and Recommendation (Dkt 84) is APPROVED and ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (Dkt 77) is GRANTED and Judgment is entered against Plaintiffs and in favor of Defendants.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997).

Dated: February 18, 2009

/s/Janet T. Neff

JANET T. NEFF

UNITED STATES DISTRICT JUDGE