

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTOPHER L. JOHNSON,

Plaintiff,

Case No.: 1:09-cv-482

v.

HONORABLE PAUL L. MALONEY

THOMAS G. GEORGE,

Defendant.

_____ /

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Joseph G. Scoville in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation (Dkt. #34) is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that defendant's motion for summary judgment (Dkt. #26) is **GRANTED**. The plaintiff's Complaint is **DISMISSED**.

Because the plaintiff proceeds *in forma pauperis*, the Court must determine whether any appeal would be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997). Because no objections have been filed, the court concludes that an appeal would not be taken in good faith.

Dated: November 3, 2010

/s/ Paul L. Maloney

Paul L. Maloney
Chief United States District Judge