Eagle v. Cannon et al Doc. 15

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

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Plaintiff,	Case No. 1:10-cv-212
v.	Hon. Janet T. Neff
PATRICK D. CANNON, et al.,	
Defendants.	1
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## ORDER APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation (Dkt 13) of the Magistrate Judge, filed June 18, 2010, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendants Cannon, Pilarski, Zanger, Hull and Heibeck's Motion to Dismiss (Dkt. 6) is DENIED without prejudice for the reason stated in the Report and Recommendation.

Dated: July 12, 2010

/s/Janet T. Neff

JANET T. NEFF

UNITED STATES DISTRICT JUDGE