

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

GLENN OGLE, #712607,

Plaintiff,

File No: 1:11-CV-124

v.

HON. ROBERT HOLMES BELL

KAREN WRIGHT, et al.,

Defendants.

_____ /

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

On February 6, 2012, Magistrate Judge Joseph G. Scoville issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s claims for declaratory and injunctive relief be dismissed as moot, that all Plaintiff’s claims for damages against Defendants in their official capacities be dismissed with prejudice because they are barred by Eleventh Amendment immunity, that Defendants’ motions for summary judgment (Dkt. No. 11, 28) be granted, and that a partial judgment be entered in favor of Defendants Wright, Molenkamp, Kissau, and Stephenson on all Plaintiff’s claims for damages against them in their individual capacities. The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

IT IS HEREBY ORDERED that the R&R (Dkt. No. 32) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's claims for declaratory and injunctive relief are **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that all Plaintiff's claims for damages against Defendants in their official capacities are **DISMISSED WITH PREJUDICE** because they are barred by Eleventh Amendment immunity.

IT IS FURTHER ORDERED that Defendants' motions for summary judgment (Dkt. Nos. 11, 28) are **GRANTED**.

IT IS FURTHER ORDERED that a **PARTIAL JUDGMENT** is entered in favor of Defendants Karen Wright, Kevin Molenkamp, Lori Kissau, and Jeannie Stephenson on all Plaintiff's claims for damages against them in their individual capacities. Plaintiff's only remaining claim is his Eighth Amendment claim for damages against Nurse Paula Meyer in her individual capacity.

Dated: March 2, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE