

IT IS FURTHER ORDERED that Defendant Wallace's Motion for Summary Judgment (docket # 26) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff Catanzaro's Cross-Motion for Summary Judgment (docket # 85) is **DENIED**.

IT IS FURTHER ORDERED that for the same reasons that the Court dismisses the action, the Court discerns no good-faith basis for an appeal within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

IT IS FURTHER ORDERED that this action is **DISMISSED** in its entirety.

/s/Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

Dated: March 27, 2013