

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK COLIN JENNINGS, II,

Plaintiff,

Case No. 1:16-cv-921

v.

HON. ROBERT J. JONKER

ROBERT CROMPTON, et al.,

Defendants.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the July 20, 2017, Report and Recommendation filed by Magistrate Judge Green in this action. (ECF No. 76). The Report and Recommendation was duly served on the parties and recommends that: (1) Plaintiff's motions for a temporary restraining order, summary judgment and an extension of time to complete discovery (ECF Nos. 47, 48) be denied; (2) Plaintiff's claims for damages against defendants Hall and Stone in their official capacities be dismissed under Eleventh Amendment immunity; and (3) that Defendants Hall and Stone's motion for summary judgment (ECF No. 41) be granted and that all Plaintiff's remaining claims against those defendants in their individual capacities be dismissed without prejudice. The time to file objections has passed, and Plaintiff has filed only a motion to amend the complaint (ECF No. 82) containing no objections to the magistrate's Report and Recommendation. Indeed, Plaintiff concurs with the magistrate that his claims against Defendants Hall and Stone in their individual capacity should be dismissed. (ECF No. 82, PageID.818.)

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the magistrate judge (ECF No. 76) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's motions (ECF No. 47, 48) are **DENIED**.

IT IS FURTHER ORDERED that the motion for summary judgment filed by Defendants Hall and Stone (ECF No. 41) is **GRANTED**. Defendants Hall and Stone are **DISMISSED** from this action with prejudice in their official capacities and without prejudice in their individual capacities.

Dated: August 15, 2017

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