

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

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ROBERT JAMES MORGAN,

Plaintiff,

Case No. 1:17-CV-206

v.

HON. GORDON J. QUIST

GEORGE JOHNSON, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On February 26, 2019, Magistrate Judge Kent issued a Report and Recommendation (R & R) recommending that the Court grant Defendants' motions for summary judgment, dismiss Plaintiff's claim against Defendant Dr. Mindlin for failure to state a claim, and deny Plaintiff's motion for summary judgment. The R & R was served on Plaintiff on February 26, 2019. No objections have been filed within the allowed time pursuant to 28 U.S.C. § 636(b). Accordingly, the Court will adopt the R & R as the opinion of the Court.

Therefore,

**IT IS HEREBY ORDERED** that the February 26, 2019, Report and Recommendation (ECF No. 59) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants Johnson, Papendick and Lindhout's Motion for Summary Judgment (ECF No. 47) and Defendants Aiken and Harbaugh's Motion for Summary Judgment (ECF No. 48) are **GRANTED**.

**IT IS FURTHER ORDERED** Plaintiff's claims against Defendant Dr. Mindlin are **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment (ECF No. 54) is **DENIED**.

A separate judgment will enter.

This case is **concluded**.

Dated: March 26, 2019

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE