

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LONNIE OLMETTI,

Plaintiff,

v.

KENT COUNTY, et al.,

Defendants.

Case No. 1:20-cv-395

Hon. Hala Y. Jarbou

ORDER

In accordance with the opinion entered this date:

IT IS ORDERED that the R&R (ECF No. 113) is **ADOPTED IN PART** and **REJECTED IN PART**. It is rejected only insofar as it applies the Eighth Amendment deliberate indifference standard and recommends granting summary judgment on the excessively forceful handcuffing claim and negligence claim against Defendants King and Linsea.

IT IS FURTHER ORDERED that Plaintiff's objection (ECF No. 118) to the disposition in the R&R is **SUSTAINED IN PART** and **OVERRULED IN PART**. Plaintiff's objection is sustained insofar as it objects to the R&R's application of the Eighth Amendment deliberate indifference standard, and the R&R's disposition of the excessively forceful handcuffing claim and negligence claim against Defendants King and Linsea.

IT IS FURTHER ORDERED that Defendants' objection (ECF No. 116) to the R&R is **SUSTAINED IN PART** and **OVERRULED IN PART**. Defendants' objection is sustained insofar as it objects to the R&R's determination of the excessive force claim against Defendants King and Linsea based on conduct on the way to the hospital.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment (ECF No. 68) is **GRANTED IN PART** and **DENIED IN PART**. It is denied as to Counts III and IV against Defendants Tyler King and Justin Linsea and granted as to the rest.

IT IS FURTHER ORDERED that Defendants Justin Mezsets and Kent County are **DISMISSED** from this case.

IT IS FURTHER ORDERED that Defendants Shane Cole and Eric Santiago are **DISMISSED** from this case per 28 U.S.C § 1367(c)(3).

The claims remaining are Counts III and IV against Defendants Tyler King and Justin Linsea.

Dated: September 15, 2022

/s/ Hala Y. Jarbou

HALA Y. JARBOU
CHIEF UNITED STATES DISTRICT JUDGE