

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLIFFORD ANTHONY SCHOENING  
#496405,

Plaintiff,

Case No. 1:23-cv-860

v.

HONORABLE PAUL L. MALONEY

RACHEL MOLLOY, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant Rachel Molloy filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on June 26, 2024, recommending that this Court grant the motion and enter judgment<sup>1</sup>. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 20) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (ECF No. 16) is GRANTED.

**IT IS FURTHER ORDERED** that Plaintiff's remaining claims against Defendant Molloy are DISMISSED WITHOUT PREJUDICE.

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<sup>1</sup> The co-defendants in this lawsuit were dismissed by prior order of the court on October 16, 2023 (ECF No. 12).

**IT IS FURTHER ORDERED** that for the same reasons the Court concludes that Plaintiff's claims are properly dismissed, the Court also concludes that any issue Plaintiff might raise on appeal would be frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). Accordingly, the Court certifies that an appeal would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: July 29, 2024

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge