

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

JESSE E. JONES,

Plaintiff,

v.

Case No. 2:08-cv-207

HON. R. ALLAN EDGAR

FERNANDO FRONTERA, M.D., et al.,

Defendants.

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OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S

REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on August 19, 2009. The Report and Recommendation was duly served on the parties. The Court has received objections from defendant Frontera. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court now finds the objections to be without merit. It is clear that plaintiff has stated claims upon which relief may be granted against defendant Frontera for Eighth and First Amendment violations.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Docket #77) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that defendant Frontera's motion to dismiss (Docket #20) is DENIED.

Dated: 9/22/09

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE