

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

KIRK WAYNE LABADIE,

Plaintiff,

Case No. 2:14-CV-23

v.

HON. ROBERT HOLMES BELL

DOUGLAS MITCHELL, *et al.*,

Defendants.

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

On July 7, 2015, Magistrate Judge Timothy P. Greeley issued a Report and Recommendation ("R&R") (ECF No. 35) recommending that Defendants' Motion for Summary Judgment (ECF No. 26) be denied in part and granted in part. Plaintiff objects to the R&R in so far as it suggests that he did not provide witness statements, and he has filed a motion to supplement the record with witness statements. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

**IT IS HEREBY ORDERED** that the Magistrate Judge's July 7, 2015, R&R (ECF No. 35) is **APPROVED** and **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment (ECF No. 26) is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion to Supplement (ECF No. 36) is **GRANTED**.

Dated: August 17, 2015

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE