

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

MARVIN MADDIX-EL,

Plaintiff,

v.

SHAWN BRINKMAN, et al.,

Defendants.

Case No. 2:14-cv-188

HON. JANET T. NEFF

**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants Shawn Brinkman, Paul A. Zelenak and Charles Scott filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on February 13, 2017, recommending that this Court grant in part and deny in part the motion. 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 (Dkt 83) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (Dkt 51) is GRANTED IN PART AND DENIED IN PART. Plaintiff's Eighth Amendment claims against Defendants Brinkman and Scott are dismissed. Plaintiff's Eighth Amendment claim against Defendant Zelenak remains.

Dated: March 7, 2017

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge