

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

JOSE RUBEN MALDONADODEHER,

Plaintiff,

Case No. 2:16-cv-21

v.

HON. ROBERT HOLMES BELL

CORIZON MEDICAL SERVICES, INC., et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendant Corizon Medical Services filed a motion to dismiss (ECF No. 12), Defendants Filion and Laplaunt filed a motion to dismiss based on qualified immunity (ECF No. 15), Defendant Corizon filed a motion for summary judgment based on Plaintiff's failure to exhaust administrative grievance remedies (ECF No. 17), and Defendant Corizon filed a motion to compel discovery (ECF No. 18).

On August 11, 2016, Magistrate Judge Timothy Greeley issued a Report and Recommendation ("R&R") recommending that the Court grant Defendant Corizon's motion to dismiss for failure to state a claim (ECF No. 12), deny as moot Defendant Corizon's motion for summary judgment for failure to exhaust grievance remedies (ECF No. 17) and motion to compel discovery (ECF No. 18), and deny the motion to dismiss on grounds of qualified immunity filed by Defendants Filion and Laplaunt (ECF No. 15).

Defendants Filion and Laplaunt filed an objection to the R&R (ECF No. 20) and a motion for summary judgment based on Plaintiff's failure to exhaust administrative remedies (ECF No. 21). On September 19, 2016, Judge Greeley issued a second R&R, recommending that Defendants'

motion for summary judgment (ECF No. 21) be granted. (ECF No. 23.) Plaintiff has not filed an objection to either R&R. Accordingly,

IT IS HEREBY ORDERED that the September 19, 2016 R&R (ECF No. 23) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment (ECF No. 21) is **GRANTED**.

IT IS FURTHER ORDERED that the August 11, 2016 R&R (ECF No. 19) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant Corizon's motion to dismiss (ECF No. 12) is **GRANTED**.

IT IS FURTHER ORDERED that Defendant Corizon's motion for summary judgment (ECF No. 17) and motion to compel discovery (ECF No. 18), and the motion to dismiss filed by Defendants Filion and Laplaunt (ECF No. 15) are **DENIED AS MOOT**.

A judgment will enter that is consistent with this memorandum opinion and order.

Dated: October 24, 2016

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