

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

---

D'ANDRE ALEXANDER #731077,

Plaintiff,

Case No. 2:16-CV-96

v.

HON. GORDON J. QUIST

MANDI JOY SALMI, et al.,

Defendants.

---

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

On May 17, 2017, Magistrate Judge Greeley issued a Report and Recommendation recommending that the Court grant Defendant Boudreau's motion for summary judgment and dismiss Plaintiff's federal claim under the Eighth Amendment against Defendant Boudreau with prejudice. The magistrate judge also recommended that the Court dismiss Plaintiff's state-law claims against Defendant Boudreau without prejudice pursuant to 28 U.S.C. § 1367(c)(3). The Report and Recommendation was duly served on the parties on May 17, 2017. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the Report and Recommendation.

Therefore,

**IT IS HEREBY ORDERED** that the May 17, 2017, Report and Recommendation (ECF No. 82) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant Boudreau's Motion for Summary Judgment (ECF No. 55) is **GRANTED**. Plaintiff's Eighth Amendment claim against Defendant Boudreau is **DISMISSED WITH PREJUDICE**. Plaintiff's state-law claims against Defendant Boudreau are

**DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3). The case will continue on Plaintiff's claims against the remaining Defendants.

Dated: June 6, 2017

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE