

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

TIMOTHY FINLEY,

Plaintiff,

v.

STEVE MLEKO, et al.,

Defendants.

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Case No. 2:17-cv-159

HONORABLE PAUL L. MALONEY

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants Balaini, Eyke, Feltner, Foster, Kimsel, Kratt, Mleko, Salmi, Schetter, Sharrett, Steade, and Tasson filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on September 25, 2018, recommending that this Court deny the motion.<sup>1</sup> 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 (ECF No. 61) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (ECF No. 37) is DENIED.

Dated: November 5, 2018

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge

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<sup>1</sup> The Court notes that an Order consolidating this case with 2:17-cv-149, Finley v. Mandi Salmi, et al, issued on October 16, 2018, after the instant motion and Report and Recommendation were filed.