

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**MICHAEL HOLMES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 4:12CV00056-SA-JMV**

**BEVERLY SHELLY, ET AL.**

**DEFENDANTS**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On consideration of the file and record of this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated January 16, 2014, was on that date duly served upon the parties; that more than fourteen days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated January 16, 2014, is hereby approved and adopted as the opinion of the Court.
2. That Plaintiff's Motion for Summary Judgment [17] is denied without prejudice to his right to file and serve an appropriate motion concerning any live issue that made the basis of the inappropriately filed summary judgment motion within fourteen (14) days of this date.

**THIS**, the 27<sup>th</sup> day of March, 2014.

/s/ Sharion Aycock  
**U.S. DISTRICT JUDGE**