



79 F.3d 1415, 1420 (5<sup>th</sup> Cir. 1996).

Having conducted the required review, the Court finds that the Chief Magistrate Judge's Report and Recommendation is neither clearly erroneous nor contrary to law. Therefore, the Court finds that the Report and Recommendation entered by Chief United States Magistrate Judge John M. Roper should be adopted as the opinion of this Court and thus, that the defendants' Motion for Summary Judgment should be granted.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Report and Recommendation [24] entered by Chief United States Magistrate Judge John M. Roper on October 7, 2008, is **ADOPTED** as the as the finding of this Court.

**IT IS FURTHER ORDERED AND ADJUDGED** that the defendants' Motion for Summary Judgment [20] is **GRANTED**. The plaintiff's claims against the defendants, Mississippi Department of Corrections, Administrative Remedy Program, Carolyn Banyard, Viscia Pointer, Michael Weeks, and Harry Peace, are hereby **DISMISSED WITH PREJUDICE**. The plaintiff's claims against the remaining defendants, Gala Matthews and the Drug and Alcohol Program at Parchman, are still pending before the Court.

**SO ORDERED AND ADJUDGED** this the 20<sup>th</sup> day of November, 2008.

*s/ Louis Guirola, Jr.*  
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LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE