

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

WILLIAM T. BUSICK

PLAINTIFF

vs.

Civil Action No. 3:07-cv-693 HTW-FKB

RUFUS R. BURKS, JR., ET AL.

DEFENDANTS

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter comes on pursuant to the Report and Recommendation of United States Magistrate Judge James C. Sumner and the written objection to the proposed findings and recommendation. Based upon the evidence therein contained, this court, having given full consideration to the aforesaid objection, finds the same not well taken. Therefore, the Report and Recommendation of the United States Magistrate Judge is hereby adopted as the order of this court. The motion of defendants Rufus Burkes and Gillis Brown for summary judgment and the cross-motion for summary judgment filed by plaintiff are all denied.

**SO ORDERED, THIS THE 2<sup>nd</sup> day of March, 2010.**

**s/ HENRY T. WINGATE  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT**