

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

RAYFIELD JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	No. 08-4258-CV-C-NKL
)	
ALKARAKUDY G. ALIAS, M.D., et al.,)	
)	
Defendants.)	

ORDER

On December 22, 2008, United States Magistrate Judge William A. Knox recommended dismissing plaintiff's claims. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on February 11, 2009. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. Plaintiff appears to disagree with the course of his medical treatment, and he has failed to allege facts which state a claim under 42 U.S.C. § 1983 for deliberate indifference to his serious medical needs.

An attachment to his exceptions indicates he may have been in contact with a law firm which may be able to direct him if he has medical evidence that he was injured because of a product defect. One of his documents also suggests that procedures might be underway for plaintiff to be appointed a guardian. If a guardian has been appointed, plaintiff may contact his guardian who can also evaluate his claims and take steps, if appropriate.

Plaintiff has requested an extension of time to amend his complaint. The reasons set forth for his proposed amendment, however, would not cure the defects previously addressed and the court does not deem it necessary to appoint counsel.

After a de novo review, the court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of December 22, 2009, is adopted. [10] It is further

ORDERED that plaintiff is denied leave to proceed in forma pauperis and his claims are dismissed, pursuant to 28 U.S.C. § 1915, for failure to state a claim for which relief can be granted. [2] It is further

ORDERED that plaintiff's remaining pending motions are denied as moot. [5, 6, 9, 11, 12]

/s/ _____

NANETTE K. LAUGHREY
United States District Judge

Dated: June 1, 2009
Jefferson City, Missouri