

IT IS, THEREFORE, ORDERED that the Report and Recommendation of January 14, 2009, is adopted. [7] It is further

ORDERED that plaintiff's claims are dismissed, pursuant to 28 U.S.C. § 1915A, for failure to state a claim for which relief can be granted.

/s/Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Dated: March 9, 2009