UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ODIES MATTHEWS, Plaintiff, vs. THE STATE OF NEVADA, in relation to the NEVADA DEPARTMENT OF CORRECTIONS, et al., Defendants.	Case No. 3:10-cv-00693-ECR-WGC MINUTES OF THE COURT Date: November 2, 2011

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

On September 12, 2011, the Magistrate Judge filed a Report and Recommendation (#29) recommending that Defendants' motion for summary judgment (#22) be GRANTED. No objections have been timely filed.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#29) is well taken and is APPROVED and ADOPTED. The evidence presented in support of the motion for summary judgment (#22) supports Defendants' contention that the use of force was applied in good faith in an effort to maintain and restore order and discipline, not with malicious or sadistic purpose.

THEREFORE, IT IS ORDERED that Defendants' Motion for Summary Judgment (#22) filed on June 9, 2011, is GRANTED. The Clerk shall enter Judgment accordingly.

LANCE S. WILSON, CLERK

By /s/
Deputy Clerk

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