

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KENDLE MARDIS,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:07cv1005
vs.	:	
	:	Chief Judge Susan J. Dlott
OFFICER STEVE TIMBERLAKE, et. al.,	:	
	:	
Defendant(s).	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Timothy S. Hogan. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on September 10, 2009 Report and Recommendation (Doc. 60). Subsequently, the defendant filed objections to such Report and Recommendation (Doc. 62).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, defendant's motion for summary judgment (Doc. 36) is **GRANTED** in part and **DENIED** in part in accordance with the decision herein.

Summary Judgment is **GRANTED** with respect to plaintiff's claims for illegal search, false arrest, false imprisonment, malicious prosecution, invasion of privacy, right to counsel and intentional infliction of emotional distress.

Summary Judgment is **DENIED** with respect to plaintiff's claims for excessive force,

assault and battery, and punitive damages.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court

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