

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

MICHAEL S. HELMS,)
)
Plaintiff,)
)
vs.)
)
DR. SORENSON and SHIRLEY)
STOUFFER,)
)
Defendants.)

No. CIV-14-1003-W

ORDER

On April 21, 2016, United States Magistrate Judge Shon T. Erwin issued his fourth Report and Recommendation in this matter and addressed the Motion for Summary Judgment filed by defendants Charles Sorenson, M.D., and Shirley Stouffer, LPN, and the Application for Appointed Counsel filed by plaintiff Michael S. Helms. Magistrate Judge Erwin recommended that the Court grant the former and deny the latter.

Although the parties were advised of their right to object to Magistrate Judge Erwin's proposed findings and recommendations, see Doc. 71 at 20, and of the consequences of their failure to do so, see id. at 21, no objections have been filed within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Erwin's suggested disposition of these two motions and his findings and recommendations regarding the three counts set forth in Helms' complaint seeking relief under title 42, section 1983 of the United States Code for deprivation of Helms' rights under the eighth amendment to the United States Constitution.

Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 71] issued on April 21, 2016;

(2) GRANTS Sorenson and Stouffer's Motion for Summary Judgment [Doc. 57] filed on November 20, 2015;

(3) DENIES Helms' Application for Appointed Counsel [Doc. 65] file-stamped December 8, 2015; and

(4) ORDERS that judgment in favor of the defendants issue forthwith.

ENTERED this 24th day of May, 2016.



LEE R. WEST
UNITED STATES DISTRICT JUDGE