



case and the applicable law. For the reasons articulated by the magistrate judge, it is **ORDERED** that defendants' motion for summary judgment is **GRANTED** and the case is hereby dismissed.

**ORDERED**, that the magistrate judge's report and recommendation is adopted as the order of this Court.

**AND IT IS SO ORDERED.**

  
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PATRICK MICHAEL DUFFY  
United States District Judge

October 23, 2009  
Charleston, South Carolina

NOTICE OF APPEAL

Plaintiff is hereby notified that he has the right to appeal this Order within thirty (30) days from the date hereof pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.