

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

HENRY HENDERSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:07-0055
)	Judge Echols
CHERRY LINDAMOOD, et al.,)	
)	
Defendants.)	

ORDER

For the reasons explained in the Memorandum issued contemporaneously herewith, the Court hereby enters the following rulings:

(1) The Report and Recommendation of Magistrate Judge Griffin (Docket Entry No. 115) is hereby ACCEPTED and APPROVED;

(2) Plaintiff’s Objections to the Report and Recommendation (Docket Entry No. 118) are hereby OVERRULED;

(3) Defendants’ Request to Modify the Report and Recommendation and grant summary judgment in favor of all Defendants (Docket Entry No. 124) is hereby DENIED;

(4) Defendants’ Partial Motion to Dismiss (Docket Entry No. 46) is hereby GRANTED and Plaintiff’s Fourth Amendment, Fifth Amendment, and Fourteenth Amendment claims as to all Defendants are hereby DISMISSED WITH PREJUDICE;

(5) Plaintiff’s Motion for Partial Summary Judgment (Docket Entry No. 50) is hereby DENIED;

(6) Defendants’ Motion for Summary Judgment is hereby GRANTED IN PART AND DENIED IN PART. The Motion is DENIED with respect to Plaintiff’s retaliation claims against

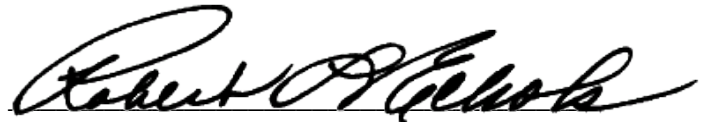
Defendants Brandon Moore, Dwight Bumpus, and Loreta Russell. The Motion is GRANTED as to all other claims and all other Defendants;

(7) Plaintiff's claims against Defendants Cherry Lindamood, Stephen Dotson, Beverly Austin Perry, Brenda Caperton, Bobby Maples, Dwight Pritchard, Clarence Potts, Grady Perry, Joe Patterson, Sonja Hefner, Shane McClain, Rosa Gant, and Sabrina Williams are hereby DISMISSED WITH PREJUDICE and those Defendants are hereby DISMISSED from this action; and

(8) Plaintiff's claims against Defendant Anders is hereby DISMISSED WITHOUT PREJUDICE for failure to serve process in accordance with Rule 4(m) of the Federal Rules of Civil Procedure.

In light of the foregoing rulings, Plaintiff's First Amendment retaliation claims against Defendants Brandon Moore, Dwight Bumpus, and Loreta Russell remain pending. The case is hereby returned to Magistrate Judge Griffin for further pretrial management in accordance with the previously entered Order of reference (Docket Entry No. 3).

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE