

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

TIMOTHY W. EZELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 3:11-0405
	)	Judge Trauger
METROPOLITAN GOVERNMENT OF	)	Magistrate Judge Griffin
NASHVILLE AND DAVIDSON COUNTY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**


On June 6, 2012, the Magistrate Judge issued a Report and Recommendation (Docket No. 95), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, the following are hereby **ORDERED**:

1. The Motion to Dismiss filed by defendants Karl Dean, Metropolitan Government of Nashville and Davidson County, the Metropolitan Council and the Metropolitan Hospital Authority (Docket No. 31) is **GRANTED**.
2. The Motion to Dismiss filed by defendants Brewer, Hodge, Murphy, Odle, and Westbrooks (Docket No. 42) is **GRANTED**.
3. The Motion For Summary Judgment filed by defendants Brewster, Burns, Butler, Carter and Correctional Medical Services (Docket No. 83) is **GRANTED**.
4. All claims against defendants Karl Dean, Metropolitan Government, Metropolitan Council, Metropolitan Hospital Authority, Brewer, Hodge, Murphy, Odle, Westbrooks, Brewster, Burns, Butler, Carter and Correctional Medical Services are **DISMISSED WITH PREJUDICE**.
5. The plaintiff’s Motion For Preliminary Injunction (Docket No. 33) is **DENIED**.

This case is **REMANDED** to the Magistrate Judge in order to determine the status of the claims against defendant Wayne Earl Moore.

It is so **ORDERED**.

ENTER this 5<sup>th</sup> day of July 2012.



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ALETA A. TRAUGER  
U.S. District Judge