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

EDWARD J. HARBISON,	
Plaintiff,	
V.	
EVELYN THOMPSON, <i>et al.</i> ,	
Defendants.	

Case No. 3:14-cv-0409

Judge Trauger

<u>ORDER</u>

Before the court is Magistrate Judge John Bryant's Report and Recommendation ("R&R"), recommending that the motion to dismiss filed by defendants Charles Wayne Carpenter and Benjamin F. Bean be granted and that the complaint against those two defendants be dismissed (ECF No. 114). Plaintiff Edward J. Harbison, a prisoner in state custody at Riverbend Maximum Security Institution ("RMSI"), has filed objections to the R&R. (ECF Nos. 126, 126-1).

As set forth in the accompanying Memorandum Opinion, the court has reviewed *de novo* the R&R in light of the plaintiff's objections. Finding no error, the court **OVERRULES** the plaintiff's objections. The R&R is **ACCEPTED**. The defendants' motion to dismiss (ECF No. 74) is **GRANTED**, and the claims in the Amended Complaint against defendants Charles Wayne Carpenter and Benjamin F. Bean are **DISMISSED**.

The plaintiff has also filed separate objections (ECF No. 125) to the magistrate judge's order (ECF No. 120) denying the plaintiff's "Motion for a Court Order ExParte" (ECF No. 91). Because the order is not clearly erroneous or contrary to law, these objections are likewise **OVERRULED**, and the court declines to modify or set aside that order.

It is so ORDERED.

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Aleta A. Trauger United States District Judge