

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT**

MARTIN DEMETRIO MORALES,	:	
Plaintiff,	:	
	:	
v.	:	File No. 1:12-cv-247-jgm-jmc
	:	
ANDREW PALLITO, GREG HALE,	:	
CHITTENDEN REGIONAL CORRECTIONAL	:	
FACILITY, NORTHERN STATE	:	
CORRECTIONAL FACILITY, NORTHWEST	:	
STATE CORRECTIONAL FACILITY,	:	
Defendants.	:	

ORDER

The Magistrate Judge's Report and Recommendation was filed December 18, 2012. (Doc. 20.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Plaintiff's motions for summary judgment (Docs. 13, 18) are DENIED without prejudice.

This matter is returned to Magistrate Judge John M. Conroy for further proceedings.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 15th day of March, 2013.

/s/ J. Garvan Murtha

 Honorable J. Garvan Murtha
 United States District Judge