

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

STEPHEN WILSON,

Plaintiff,

v.

Civil Action No. 2:14-cv-23764

LYLE LESHNER,
Correctional Officer II,
CORPORAL CHRISTOPHER HESS,
SERGEANT CHARLES LEGG

Defendants.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on December 18, 2017; and the magistrate judge having recommended that the court grant defendant Charles Legg's motion to set aside entry of default; and deny without prejudice the plaintiff's request for award of damages against defendant; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

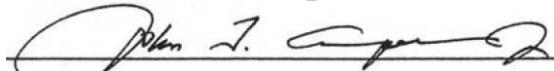
1. The findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein;

2. Defendant Charles Legg's motion to set aside entry of default, be, and it hereby is, granted; and

3. Plaintiff's request for award of damages be, and it hereby is, denied without prejudice.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and the United States Magistrate Judge.

DATED: January 10, 2018

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", written over a horizontal line.

John T. Copenhaver, Jr.
United States District Judge