

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

MICHAEL JAMES HENDERSON,

Plaintiff,

v.

CIVIL ACTION NO. 3:20-0612

PAUL DIAMOND, et al.,

Defendant.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant Defendants Diamond, Akers, Brewer, Fleming, Aldrige, Moore, and Littlejohn's Motion for Summary Judgment (ECF No. 61) and remove this matter from the Court's docket. No objections to the Magistrate Judge's findings and recommendation have been filed.<sup>1</sup>

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **GRANTS** Defendants Diamond, Akers, Brewer, Fleming, Aldrige, Moore, and Littlejohn's Motion for Summary Judgment (ECF No. 61) and **REMOVES** this matter from the Court's docket, consistent with the findings and recommendation.

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<sup>1</sup> The Proposed Findings and Recommendation was returned marked undeliverable. The Clerk of Court has no current address for Plaintiff.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: November 10, 2021

A handwritten signature in black ink, appearing to read 'R. C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE