



## Wickner v. McComb

2010 | Cited 0 times | D. Minnesota | August 23, 2010

### ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court upon Plaintiff Lance Phillip Wickner's ("Plaintiff's") objections to Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 23, 2010, insofar as it recommends that: (1) Plaintiff's Motion for Summary Judgment be denied; (2) Defendants' Motion for Summary Judgment be granted; and (3) this case be dismissed with prejudice.

The Court has conducted a de novo review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections. Defendants Mary McComb, Kent Grandlienard, Steven Ayers, Mike Green, and Natalie Leseman ("Defendants") filed a Response to Plaintiff's Objections (Doc. No. 31) on August 18, 2010.

Based upon the de novoreview of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

#### ORDER

1. Plaintiff Lance Phillip Wickner's objections (Doc. No. [30]) to Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 23, 2010, are DENIED.
2. Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 23, 2010 (Doc. No. [29]), is ADOPTED.
3. Plaintiff's Motion for Summary Judgment (Doc. No. [13]), is DENIED.
4. Defendants' Motion for Summary Judgment (Doc. No. [16]), is GRANTED.
5. This case is DISMISSED WITH PREJUDICE. LET JUDGMENT BE ENTERED ACCORDINGLY.

