

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

Richard Moreau
Plaintiff

V.

CA:04-459S

State of Rhode Island, et al
Defendant

ORDER

The Report and Recommendation of United States Magistrate Judge Lincoln D. Almond filed on August 7, 2006 in the above-captioned matter is accepted pursuant to Title 28 United States Code § 636(b)(1). Plaintiff's Objection to the Report and Recommendation is DENIED and Defendants' Motion for Judgment on the Pleadings as to Count II is GRANTED and that Defendant Wall and Defendant Weeden's Motion for Summary Judgment as to Count III is GRANTED. The defendants' Amended Motions (Document Nos. 102 and 103) is DENIED as Moot and without prejudice to the exhaustion defense set forth in Defendants' remaining Motion for Summary Judgment (Document No. 97).

BY ORDER:


DEPUTY CLERK

ENTER:


WILLIAM E. SMITH
U.S. DISTRICT JUDGE

12/5/06