

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, NORTHERN DIVISION**

Burton v. Nurkala, et al.

Burton v. Nurkala · No. 2:24-cv-96 · Decided February 24, 2026

SUMMARY

The United States District Court for the Western District of Michigan approved and adopted the Magistrate Judge’s Report and Recommendation in this § 1983 action. The court granted Defendants’ motion for summary judgment, dismissed Plaintiff’s remaining claims, and certified that an appeal would not be taken in good faith.

OPINION

Nurkala

PER CURIAM.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UJUAN KIRDELL BURTON,
Plaintiff, Case No. 2:24-cv-96 v.
HON. JANE M. BECKERING

MARSHA NURKALA, et al., Defendants. _____/

ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendants Nurkala, Beasley, and Holley filed a Motion for Summary Judgment (ECF No. 38). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 41) on January 13, 2026, recommending that this Court grant the motion for summary judgment and dismiss Plaintiff’s remaining claims. The Report and Recommendation was duly served on the remaining parties.¹ No objections have been filed. See 28 U.S.C. § 636(b)(1). Accordingly: IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 41) is APPROVED and ADOPTED as the Opinion of the Court. IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 38) is GRANTED. Plaintiff’s remaining claims are DISMISSED. 1 Service of the Report and Recommendation on Plaintiff was returned, marked “return to sender” and “no longer at this facility” (ECF No. 42). Plaintiff has failed to keep the Court apprised of his current address. IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v.*

Bock, 549 U.S. 199, 206, 211-12 (2007). A Judgment will be entered consistent with this Order.

Dated: February 24, 2026 /s/ Jane M. Beckering

JANE M. BECKERING

United States District Judge

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