

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

BRIAN KELLY THORNTON,

Plaintiff,

v.

Case Number 11-14684
Honorable Thomas L. Ludington

AFGE LOCAL 2274 et al.,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DENYING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA PAUPERIS**

This matter is before the Court on the report and recommendation (ECF No. 4) issued by Magistrate Judge Charles E. Binder on November 7, 2011, on Plaintiff's motion to proceed in forma pauperis (ECF No. 2). Judge Binder recommends that the Court deny Plaintiff's motion as Plaintiff's monthly income is more than 25 percent of the federal poverty level (Plaintiff indicates that he earns \$2,800 per month, which amounts to \$33,600 per year, and that he has approximately \$500 in a checking or savings account).

Any party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* The Court is not obligated to review the portions of the report to which no objection was made. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). As of today's date, no party has filed any objections to Judge Binder's report and recommendation.

Accordingly, it is **ORDERED** that Judge Binder's report and recommendation (ECF No. 4) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is **DENIED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: November 29, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon Brian Kelly Thornton, at 407 N. Mason, Saginaw, MI 48602 by first class U.S. mail on November 29, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS