

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MATTHEW HALL,

Plaintiff,

Case No. 14-cv-12022

v

Honorable Thomas L. Ludington
Magistrate Judge Mona K. Majzoub

HARESH PANDYA, et al.,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Matthew Hall, currently a prisoner at the Carson City Correctional Facility located in Carson City, Michigan, filed this pro se civil rights action on May 20, 2014, pursuant to 42 U.S.C. § 1983, alleging that Defendants Haresh Pandya and Corizon Health, Inc. were deliberately indifferent to his medical needs in violation of the Eighth Amendment. (ECF No. 1.) On February 23, 2015, Defendant Corizon Health filed a motion for summary judgment (ECF No. 29).

On August 3, 2015, Magistrate Judge Mona K. Majzoub issued a report recommending that Defendant Corizon Health's motion for summary judgment be granted (ECF No. 45). Judge Majzoub noted that Hall had not shown that Corizon Health had implemented any policy, custom, or practice that deprived Hall of his Eighth Amendment rights. Accordingly, Judge Majzoub concluded that Hall had not established a prima facie case against Corizon Health under 42 U.S.C. § 1983.

Although Magistrate Judge Majzoub's report explicitly stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of

the report, neither Plaintiff nor Defendant filed any objections. The election not to file objections to the Magistrate Judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation (ECF No. 45) is **ADOPTED**.

It is further **ORDERED** that Defendant Corizon Health's motion for summary judgment (ECF No. 29) is **GRANTED**. Plaintiff Hall's Complaint is dismissed as to Defendant Corizon Health.

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

Dated: September 4, 2015

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 4, 2015.

s/Karri Sandusky
Karri Sandusky, Acting Case Manager