UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN NORTHERN DIVISION

TREVOR SIMPSON,

	Plaintiff,		Case No. 16-cv-11384
v SOUTHERN CARE	,		Honorable Thomas L. Ludington Magistrate Judge Patricia T. Morris
	Defendant.		
		/	

ORDER ADOPTING REPORT AND RECOMMENDATION AND TRANSFERRING CASE TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Plaintiff Trevor Simpson filed this pro se action against his former employer, Defendant Southern Care, on April 18, 2016. *See* ECF No. 1. Simpson alleges that Defendant Southern Care terminated his employment because of his sexual orientation in violation of Title VII of the Civil Rights Act. *Id*.

On April 28, 2016 Magistrate Judge Patricia T. Morris issued a report recommending that the above-captioned matter be *sua sponte* transferred to the district of South Carolina. ECF No. 10. Judge Morris reasoned that, based on Plaintiff's complaint, Defendant is located in Birmingham, Alabama and the alleged discrimination occurred in South Carolina. She therefore concluded that the Eastern District of Michigan is not a proper venue under 42 U.S.C. § 2000e-5(f)(3), that a *sua sponte* transfer is appropriate under *Carver v. Knox County, Tenn.*, 887 F.2d 1287, 1291 (6th Cir. 1989), and that the district of South Carolina provides a proper and more convenient forum under 28 U.S.C. §§ 1391(b) and 1404(a).

Although Magistrate Judge Morris'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. 10, is **ADOPTED**.

It is further ORDERED that the above-captioned matter is TRANSFERRED to the

United States District Court for the District of South Carolina.

s/Thomas L. Ludington

THOMAS L. LUDINGTON United States District Judge

Dated: May 18, 2016

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 May 18, 2016.

s/Michael A. Sian

MICHAEL A. SIAN, Case Manager

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