

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MARK ADAMS,

Plaintiff,

Case No. 17-10708

v.

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

DAVE DUFFETT, and
JEFF ROBERTS

Defendants.

/

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

On November 8, 2017, Plaintiff was ordered to show cause why this case should not be dismissed for failure to prosecute. ECF No. 16. Plaintiff was directed to respond to the show cause order by November 22, 2017. *Id.* On November 27, 2017, Magistrate Judge Patricia T. Morris issued a report and recommendation. ECF No. 17. Judge Morris notes that Plaintiff has not served or attempted to serve any of the Defendants, nor has Plaintiff responded to the show cause order. *Id.* at 2.

Although the magistrate judge's report explicitly states that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, neither party has 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. *Id.*

Accordingly, it is **ORDERED** that Judge Morris's report and recommendation, ECF No. 17, is **ADOPTED**.

It is further **ORDERED** that Plaintiff's amended complaint, ECF No. 7, is **DISMISSED** for failure to prosecute.

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

Dated: December 12, 2017

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 December 12, 2017.

s/Kelly Winslow
KELLY WINSLOW, Case Manager