

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARTHUR ROUSE, et al.,

Plaintiff(s),

v.

PATRICIA CARUSO, BLAINE LAFLER,
BARBARA MEAGHER, et al.,

Defendant(s).

Case No. 2:06-cv-10961

HONORABLE STEPHEN J. MURPHY, III

ORDER ACCEPTING AND ADOPTING THE REPORTS AND RECOMMENDATIONS

This is a putative class action by and on behalf of prisoners at Mid-Michigan Correctional Facility. Before the Court are Arthur Rouse's Motion to Enforce National Drinking Water Regulations, for a Preliminary Injunction, and/or Declaratory Judgment, filed March 5, 2007 [Docket entry 79], and his Motion for Partial Summary Judgment, filed on April 6, 2007 [Docket entry 99]. Magistrate Judge Komives considered the matters and issued two Reports and Recommendations, dated August 21, 2008 and August 25, 2008. The magistrate judge recommends in these Report and Recommendations that each of plaintiff's motions be denied without prejudice. The Magistrate Judge also notified the parties that any objections must be filed within ten days of service. No party has filed objections to either Report and Recommendations.

The Court's standard of review for a magistrate judge's Report and Recommendation depends upon whether a party files objections. If a party does not object to the report and recommendation, the Court does not need to conduct a review by any standard. See

Lardie v. Birkett, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed, "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings." *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Because no party filed timely objections to Magistrate Judge Komives' reports and recommendations, see 28 U.S.C. § 636(B)(1)(c); Fed. R. Civ. P. 6(e), this Court need not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendations [docket entries 180 and 182] are **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Rouse's motion to enforce national drinking water regulations, for a preliminary injunction, and/or declaratory judgment [docket entry 79] and his motion for partial summary judgment [docket entry 99] are hereby **DENIED WITHOUT PREJUDICE**.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: October 9, 2008

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 9, 2008, by electronic and/or ordinary mail.

Alissa Greer
Case Manager