

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TERRENCE F. ROGERS,

Plaintiff,

Case No. 06-15074

v.

Hon. Marianne O. Battani
Magistrate Judge Donald Scheer

NATIONAL LABOR RELATIONS
BOARD,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND GRANTING DEFENDANT'S MOTION TO DISMISS**

Plaintiff Terrence F. Rodgers filed his Complaint in Wayne County Circuit Court on October 13, 2006. Defendant timely removed and filed its request that the Complaint be dismissed. In his response, Plaintiff moved for a change of venue. The matter was referred to Magistrate Judge Donald A. Scheer, pursuant to 28 U.S.C. § 636(b)(1)(B).

In a Report and Recommendation ("R&R") dated January 31, 2007, Magistrate Judge Scheer recommended that Plaintiff motion be denied and Defendant's motion be granted. The Magistrate Judge further informed the parties that objections to the R&R must be filed within ten days of service and that a party's failure to file objections would waive any further right of appeal. Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation and **GRANTS** Defendant's Motion to Dismiss and **DENIES** Plaintiff's Motion for Change of Venue.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: February 28, 2007

CERTIFICATE OF SERVICE

A copy of this Order was e-filed and/or mailed to Terrence Rodgers and Eric G. Moskowitz this date.

s/Bernadette M. Thebolt
Deputy Clerk