

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL HORACEK,

Plaintiff,

v.

Case No. 07-13822

DERRICK WILSON,
LIEUTENANT ATKINS, CAPTAIN WALLACE,
SISTER PEGGY DEVANEY, OAKLAND
COUNTY JAIL ADMINISTRATOR, OAKLAND
COUNTY JAIL CLASSIFICATION DEPARTMENT,
MARY, and JOHN DOES,

HONORABLE AVERN COHN

Defendants.

**ORDER DENYING PLAINTIFF'S OBJECTIONS TO MAGISTRATE JUDGE'S ORDER
GRANTING MOTION TO COMPEL (Doc. No. 151)**

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff is proceeding pro se and in forma pauperis. Plaintiff raised a host of claims regarding his incarceration at the Oakland County Jail (OCJ) from June 24, 2005 through July 6, 2006 as a pre-trial detainee. The case has been referred to a magistrate judge for pre-trial proceedings. Only plaintiff's First Amendment § 1983 claim and statutory claim regarding the provision of Kosher meals remain.

Defendant Derrick Wilson moved to compel discovery from plaintiff (Doc. No. 144). Plaintiff objected. The magistrate judge issued an order granting defendant's motion, finding that the information defendant sought is relevant and appropriate for discovery. Before the Court are plaintiff's objections to the magistrate judge's order (Doc. No. 152).

A district court must conduct a de novo review of the parts of a magistrate judge's report and recommendation to which a party objects. 28 U.S.C. § 636(b)(1). The district "court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate" judge. Id.

A general objection, or one that merely restates the arguments previously presented, is not sufficient to alert the court to alleged errors on the part of the magistrate judge. An "objection" that does nothing more than state a disagreement with a magistrate judge's suggested resolution, or simply summarizes what has been presented before, is not an objection as that term is used in this context. Howard v. Sec'y of Health and Human Servs., 932 F.2d 505, 508 (6th Cir. 1991).

The Court has reviewed plaintiff's objections, which essentially present the same arguments considered and rejected by the magistrate judge. The Court agrees with the magistrate judge that the information sought by defendant is relevant and discoverable. Accordingly, plaintiff's objections are DENIED. Plaintiff must comply with the magistrate judge's order.

SO ORDERED.

Dated: September 14, 2010

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to Daniel Horacek, #165458, Oakland County Jail, 1201 N. Telegraph Rd., Pontiac, MI 48343 and the attorneys of record on this date, September 14, 2010, by electronic and/or ordinary mail.

S/Shawntel Jackson
Relief Case Manager, (313) 234-5160