

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

JONATHAN TABIN,  
Plaintiff,

Case No. 07-13836  
Hon. Anna Diggs Taylor  
Magistrate Judge R. Steven Whalen

v.

OFFICER RYAN E. MILLER, et al.,  
Defendants.

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**ORDER ACCEPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge R. Steven Whalen's Report and Recommendation of December 12, 2008, Granting Defendants' Motion for Summary Judgment [D/E-21].

The Court has reviewed the file and the Magistrate Judge's Report and Recommendation. No objections have been filed. The Court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

Therefore, the Court will accept the Magistrate's Report and Recommendation of December 12, 2008 as the findings and conclusions of this Court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Whalen's Report and Recommendation of December 12, 2008 is ACCEPTED and ADOPTED.

IT IS SO ORDERED.

DATED: January 22, 2009

**s/Anna Diggs Taylor**  
ANNA DIGGS TAYLOR  
UNITED STATES DISTRICT JUDGE

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on January 22, 2009.

Jonathan Tabin  
1105 East Elza Street  
Hazel Park, MI 48030

**s/Johanna M. Curry-Williams**  
Case Manager