

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANTOINETTE FAIRLEY,

Plaintiff,

v.

Civil No. 08-10924

Hon. John Feikens

Magistrate Judge Michael Hluchaniuk

STATE FARM MUTUAL  
AUTOMOBILE INSURANCE CO.,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

I have before me, Magistrate Judge Michael Hluchaniuk's Report and Recommendation ("Report"). In his Report, Magistrate Judge Hluchaniuk recommends that I grant Defendant's Motion to Dismiss. Neither party has filed objections to Magistrate Judge Hluchaniuk's Report during the time set aside for doing so.

If a party objects to specific portions of a report and recommendation within the allotted time, the Court should "make a de novo determination of those portions." 28 U.S.C. §636 (b)(1). If neither party objects to the report and recommendation in the time set aside for doing so, a district court need not review it by any standard. 28 U.S.C. § 636(b)(1), see also Lardie v. Birkett, 221 F.Supp.2d 806, 807 (E.D. Mich. 2002). A district court "may accept, reject or modify, in whole or in part, the finding or recommendation made by the magistrate." 28 U.S.C. § 636(b)(1).

I find that Magistrate Judge Hluchaniuk has thoroughly and correctly analyzed the issues and I agree with his recommendation. For these reasons, I ADOPT Magistrate Judge

Hluchaniuk's Report and GRANT Defendant's Motion to Dismiss.

**IT IS SO ORDERED.**

Date: April 1, 2009

s/ John Feikens

John Feikens

United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on April 1, 2009, by U.S. first class mail or electronic means.

s/Carol Cohron  
Case Manager