UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

KELLIE LYNN, guardian and conservator of Frederick E. Haynes, Sr.

Plaintiff,

v.

Civil No. 08-12714 Hon. John Feikens Magistrate Michael Hluchaniuk

STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.,

Defendant.	
	/

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 dismiss Plaintiff's Complaint without prejudice for failure to prosecute. 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 throughly and correctly analyzed the issues

and I agree with his recommendation. For these reasons, I ADOPT Magistrate Judge Hluchaniuk's Report and DISMISS the Plaintiff's Complaint without prejudice for failure to prosecute.

IT IS SO ORDERED.

Date: April 16, 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 16, 2009, by U.S. first class mail or electronic means.

> s/Carol Cohron Case Manager