

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALI SALAAM EL,

Plaintiff,

v.

Case Number 09-12136

Honorable David M. Lawson

Magistrate Judge Michael Hluchaniuk

CITY OF DEARBORN, DEARBORN POLICE,
NINETEENTH DISTRICT COURT, ALFRED
GRZEGOREK, WILLIAM C. HULTGREN,
SCOTT NAGY, and WILLIAM M. DEBIASI,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
GRANTING THE DEFENDANTS' MOTIONS TO DISMISS, DENYING AS MOOT THE
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, AND DISMISSING THE
PLAINTIFF'S COMPLAINT WITH PREJUDICE**

This matter is before the Court on two reports issued by Magistrate Judge Michael Hluchaniuk on January 27 and January 28, 2010 pursuant to 28 U.S.C. § 636(b)(1)(B) and E.D. Mich. LR 72.1 recommending that the Court grant the defendants' motions to dismiss, dismiss the plaintiff's complaint with prejudice, and dismiss the plaintiff's motion for summary judgment as moot. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendations within fourteen days of service of the report, the plaintiff did not file any objections to either. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the motion. *Thomas v. Arn*,

474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's reports and recommendations [dkts. # 26 & 27] are **ADOPTED**.

It is further **ORDERED** that the defendants' motions to dismiss [dkt. # 3 & 8] are **GRANTED**, and the plaintiff's complaint is **DISMISSED** with prejudice.

It is further **ORDERED** that the plaintiff's motion for summary judgment [dkt. # 20] is **DISMISSED as moot**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: February 18, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 18, 2010.

s/Teresa Scott-Feijoo
TERESA SCOTT-FEIJOO