

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROSSANO REA,

Plaintiff,

Case Number 09-12611

Honorable David M. Lawson

Magistrate Judge Paul J. Komives

v.

WELLS FARGO HOME MORTGAGE, INC.,
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., and HSBC BANK USA, N.A.,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION,
DENYING PLAINTIFF'S MOTIONS FOR A PRELIMINARY INJUNCTION AND A
TEMPORARY RESTRAINING ORDER**

Presently before the Court is the report issued on August 7, 2009 by Magistrate Judge Paul J. Komives pursuant to 28 U.S.C. § 636(b) recommending that this Court deny the plaintiff's motions for a preliminary injunction and a temporary restraining order. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' 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 Report and Recommendation [dkt # 15] is **ADOPTED**.

It is further **ORDERED** that the plaintiff's motions for a preliminary injunction and a temporary restraining order [dkt. #4] are **DENIED**.

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

Dated: August 25, 2009

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 August 25, 2009.

s/Lisa M. Ware
LISA M. WARE