

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLIFFORD E. JONES,

Defendant.

Case No. 11-11319

Honorable Patrick J. Duggan

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION TO PERMIT GARNISHMENT AND DENY WITHOUT
PREJUDICE DEFENDANT'S CLAIM FOR EXEMPTION**

On March 30, 2011, the Government filed this lawsuit seeking to collect unpaid student loans from Defendant. A Default Judgment in the amount of \$2,412.14 eventually was entered against Defendant after he failed to respond to the Complaint. The Government thereafter obtained a Writ of Continued Garnishment directed to the Michigan Department of Treasury in an attempt to collect on the Judgment. On October 26, 2011, Defendant filed a "Request for hearing about the garnishment and claim for exemption." This Court referred Defendant's filing to Magistrate Judge Laurie J. Michelson on October 27, 2011, pursuant to 28 U.S.C. § 636(b)(3).

Magistrate Judge Michelson conducted a hearing with respect to the garnishment and Defendant's claim for an exemption thereto on December 1, 2011. On the same date, Magistrate Judge Michelson issued a Report and Recommendation, recommending that this Court permit the garnishment and deny Defendant's claim for exemption without

prejudice. At the conclusion of the R&R, Magistrate Judge Michelson advises the parties that they may object and seek review of the R&R within fourteen days of service upon them. (R&R at 4-5.) She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.* (citations omitted).) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Michelson.

Accordingly,

IT IS ORDERED, that Defendant’s claim for exemption to the garnishment is **DENIED WITHOUT PREJUDICE** and the garnishment is **PERMITTED**.

Date: February 2, 2012

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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Magistrate Judge Laurie J. Michelson