

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD SCHNEIDER,

Plaintiff,

Civil Action No. 11-CV-14254

vs.

HON. BERNARD A. FRIEDMAN

AMERIQUEST MDL SETTLEMENT
ADMINISTRATOR and
DEUTSCHE BANK NATIONAL TRUST
2005-R5,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME TO
OBJECT TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

and

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter is presently before the court on the motion of defendant Deutsche Bank National Trust 2005-R5 ("Deutsche Bank") for judgment on the pleadings or for summary judgment [docket entry 6], and (2) plaintiff's motion for an extension of time to object to the magistrate judge's report and recommendation ("R&R") [docket entry 17].

Taking the motions in reverse order, the court shall deny plaintiff's request for an extension of time to file objections to the R&R. The R&R was filed on April 27, 2012. Under Fed. R. Civ. P. 72(b)(2) and 6(d), objections to the R&R were due by May 14, 2012. On May 11, 2012, plaintiff filed the instant motion in which he says only that he "[r]equest[s] a 30 day extension to file an answer to your report and recommendation." Under Fed. R. Civ. P. 6(b), a party must show "good cause" for such an extension. In the present case, plaintiff has not shown good cause – or, in fact, provided any explanation whatsoever – for the requested extension. Under these

circumstances, the court shall not extend the deadline for filing objections.

The magistrate judge recommends that the court grant Deutsche Bank's motion "because Plaintiff did not redeem the property within the prescribed statutory period [and therefore] his interest in the property had been extinguished at the time he filed this lawsuit." R&R at 10-11. As a result, "Plaintiff does not have standing to contest the foreclosure, and he does not have standing to challenge the validity of the assignment to Deutsche Bank." *Id.* at 15. The magistrate judge has thoroughly analyzed all of plaintiff's counter-arguments and correctly concluded that none of them have merit. The court agrees with the magistrate judge's analysis and conclusion. Accordingly,

IT IS ORDERED that plaintiff's motion for an extension of time to object to the magistrate judge's report and recommendation is denied.

IT IS FURTHER ORDERED that Magistrate Judge Whalen's report and recommendation are hereby accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that defendant Deutsche Bank's motion for judgment on the pleadings or for summary judgment is granted.

Dated: May 16, 2012
Detroit, Michigan

S/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE