

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TRACY J. AUGUST,

Plaintiff,

v.

Case No. 2:12-cv-13775  
Honorable Patrick J. Duggan

PATRICIA CARUSO, DANIEL HEYNS,  
MILLICENT WARREN, MS. VALLIE,  
MS. L. WILLIAMS, MS. PERRY, MS.  
TAYLOR, SERGEANT KAMIN, SERGEANT  
MARGOLIC, SERGEANT GODFREY,  
OFFICER RATLIFF, DR. TIMOTHY KANGAS,  
DANIEL LA FRAMBOISE, MS. WRIGHT,  
MS. FREISS, TAMIKA WOODS, DR. LACY,  
DR. SZYMANSKI, DR. QIN, DR. ONUIGBO,  
LANA MCCARTHY, RN HAMMOND, and  
RN TUCKER,

Defendants.

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**ORDER ADOPTING JULY 23, 2013 REPORT AND RECOMMENDATION  
AND DISMISSING WITHOUT PREJUDICE PLAINTIFF'S COMPLAINT  
AGAINST "RN TUCKER"**

Plaintiff, a Michigan Department of Corrections' prisoner, filed this *pro se* civil rights lawsuit against Defendants on August 27, 2012. In her Complaint, Plaintiff alleges that Defendants failed to provide her with proper medical care. This case has been referred to Magistrate Judge David R. Grand for all pretrial purposes. (ECF No. 25.)

On May 22, 2013, Magistrate Judge Grand issued an order to show cause requiring Plaintiff to provide a correct address for Defendant Tucker or show cause why this action should not be dismissed without prejudice as against that Defendant. (ECF No. 38.) Magistrate Judge Grand gave Plaintiff until June 7, 2013 to respond to the show cause order. (*Id.*) Plaintiff did not respond by that date. Therefore, on July 23, 2012, Magistrate Judge Grand issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s Complaint against Defendant RN Tucker be dismissed without prejudice. (ECF No. 40.) At the conclusion of the R&R, Magistrate Judge Grand advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at 4.) He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) No objections to the R&R were filed.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Grand. The Court therefore adopts Magistrate Judge Grand’s July 23, 2013 recommendations.

Accordingly,

**IT IS ORDERED**, that Plaintiff’s Complaint against Defendant RN Tucker,

only, is **DISMISSED WITHOUT PREJUDICE** and Defendant RN Tucker is dismissed as a party from this lawsuit.

Dated: August 28, 2013

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:

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