

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KIA MAXWELL,

Plaintiff,

Case No. 14-cv-10355

Hon. Matthew F. Leitman

v.

RESIDENTIAL CREDIT  
SOLUTIONS, INC.,

Defendant.

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**ORDER (1) ADOPTING REPORT & RECOMMENDATION (ECF #14),  
(2) DENYING DEFENDANT'S MOTION TO DISMISS (ECF #8), AND  
(3) ORDERING DEFENDANT TO ANSWER OR OTHERWISE RESPOND  
TO COMPLAINT**

On December 16, 2014, Magistrate Judge Paul J. Komives issued a Report and Recommendation (the "R&R," ECF #14) recommending that the Court deny Defendant Residential Credit Solution, Inc.'s Motion to Dismiss (the "Motion," ECF #8). The R&R stated that the parties could object to and seek review of the recommendation within fourteen days. (*See* the R&R at 8, Pg. ID 142.)

Neither party has objected to the R&R. Failure to file objections to the R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's R&R releases the Court from its duty to independently review

the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nevertheless reviewed the R&R and agrees with the findings and conclusions of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that the Magistrate Judge's December 19, 2014, R&R (ECF #27) is **ADOPTED** as the Opinion of this Court. **IT IS FURTHER ORDERED**, for the reasons stated in the R&R, that Defendant's March 21, 2014, Motion to Dismiss (ECF #8) is **DENIED**. **IT IS FINALLY ORDERED** that Defendant shall answer or otherwise respond to Plaintiff's Complaint (ECF #1) by no later than **February 4, 2015**.

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: January 13, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 13, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
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