

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Rozell Wilkes,

Plaintiff,

Case Number 14-11558

Hon. Denise Page Hood

v.

Kennaker, et al.,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION
GRANTING DEFENDANTS' UNOPPOSED MOTION
FOR SUMMARY JUDGMENT (Doc. # 39)**

Plaintiff Rozell Wilkes filed a prisoner civil rights suit alleging violations of his constitutional rights. The Court referred all pretrial matters to Magistrate Judge Elizabeth Stafford. Magistrate Judge Stafford issued a report and recommendation recommending that the Court should grant Defendants' Motion for Summary Judgement (Doc. # 39). Magistrate Judge Stafford concluded: (1) Plaintiff's due process and retaliation claims should be dismissed without prejudice for failure to exhaust; and (2) Plaintiff's failure to protect claim should be dismissed with prejudice.

Once a report and recommendation has been issued, a party has fourteen days to file written objections to the Magistrate Judge's proposed findings and recommendations. 28 U.S.C. § 636. A district court is not required to review any portion of a report and recommendation to which no objection was made. *Hickey-Niezgoda v. Wells Fargo Home*

Mortgage, No. 11-10538, 2012 WL 1079573, at *1 (E.D. Mich. Mar. 30, 2012) citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Neither party filed any written objections, and the time period for filing objections has expired. After carefully reviewing the motion for summary judgment, the Report and Recommendation, the Court agrees with Magistrate Judge Stafford's recommendations. She accurately laid out the facts, properly examined portions of the record, and applied the correct standard of review. Magistrate Judge Stafford engaged in a thorough analysis of the issues and provided reasoned explanations for her conclusions.

Accordingly, the Court **ADOPTS** Magistrate Judge Stafford's Report and Recommendation and **GRANTS** Defendants' Motion for Summary Judgment. Plaintiff's due process and retaliation claims are **DISMISSED WITHOUT PREJUDICE**; and Plaintiff's failure to protect claim is **DISMISSED WITH PREJUDICE**.

IT IS ORDERED.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: February 29, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 29, 2016 by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager