

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEVONNE MARSH,

Plaintiff,

Case No. 14-12947

Honorable Victoria A. Roberts

v.

LEO RHODES and THE CITY
OF DETROIT,

Defendant.

**ORDER GRANTING PLAINTIFF'S MOTION BY LEAVE
OF APPEAL [Doc. 50] and OVERRULING HIS OBJECTIONS TO
THE MAGISTRATE JUDGE'S APRIL 21, 2016 ORDER [Doc. 36; Doc. 38]**

On April 21, 2016, Magistrate Judge David R. Grand entered an order denying Plaintiff DeVonne Marsh's motion to amend the complaint and sanction Defendants [Doc. 36], along with a separate Report and Recommendation pertaining to Defendants' motion to dismiss. Marsh objected to the order and R & R in a single document. [Doc. 38]. The Court addressed Marsh's objections to the R & R, but did not consider his objections to the order. [Doc. 42].

This matter is before the Court on Marsh's "motion by leave of appeal," in which he points out that the Court failed to consider his objections to the Magistrate Judge's order and asks the Court to "address the merits of his objections." [Doc. 50, PgID 388]. The Court **GRANTS** Marsh's motion and will consider his objections to the order below.

When reviewing objections to a magistrate judge's order on a non-dispositive matter, a district court must modify or set aside any part of the order that is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); *United*

States v. Curtis, 237 F.3d 598, 602-03 (6th Cir. 2001). A non-specific objection “that does nothing more than disagree with a magistrate judge’s determination, ‘without explaining the source of the error,’ is not considered a valid objection.” *Bellmore-Byrn*, 2016 WL 5219541, at *1 (quoting *Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991)). Neither is an objection that “merely reiterates an argument previously presented.” *Id.*

In his objections to Magistrate Judge Grand’s order, Marsh merely summarizes Judge Grand’s findings, reiterates arguments he made in his motion, and summarily states that he objects to the order. He fails to make any specific arguments or assert how or why any of the Magistrate Judge’s findings were erroneous or contrary to law. Therefore, Marsh’s objections are invalid.

An independent review of the order shows that none of the Magistrate Judge’s factual findings or legal conclusions is clearly erroneous or contrary to law.

The Court **OVERRULES** Marsh’s objections and **ADOPTS** Magistrate Judge Grand’s order.

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: January 25, 2017