

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDLE GRIFFIN,

Plaintiff,

Case No. 14-cv-14290

Hon. Matthew F. Leitman

v.

PAUL KLEE *et al.*,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION (ECF #23)
AND DENYING DEFENDANTS' MOTION TO DISMISS (ECF #14)

On April 16, 2015, Magistrate Judge Anthony Patti issued a Report and Recommendation (“R&R”) recommending that the Court deny the Motion to Dismiss (*see* ECF #14) filed by Defendants Paula Klee, Joseph Barrett, and Michelle Parsons. (*See* ECF #22.) The R&R stated that the parties could object to and seek review of the recommendation within fourteen days. (*See id.* at 20-21, Pg. ID 158-159.)

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); *see also 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 April 16, 2015, Report and Recommendation (ECF #23) is **ADOPTED** as the Opinion of this Court. **IT IS FURTHER ORDERED**, for the reasons stated in the R&R, that the Motion to Dismiss filed by Defendants Paula Klee, Joseph Barrett, and Michelle Parsons (ECF #14) is **DENIED**.

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

Dated: May 6, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 6, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113