UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

L. TUCKER,

Plaintiff,

v.

KANDULSKI, ET AL.,

Defendants.
_____/

Case No. 15-cv-11117

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE
PATRICIA T. MORRIS

OPINION AND ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION [20] AS MOOT

On September 28, 2015, Plaintiff L. Tucker filed a Motion for Reconsideration [20] as to the Court's Order Accepting and Adopting Report and Recommendations [16]. Plaintiff argues that he has proof of timely mailing of his Objection to Report and Recommendation [18], filed twelve days after the deadline for submission. Dkt. No. 20 at ¶ 4.[1]

Plaintiff's motion has been rendered moot by the Court's thoroughly consideration of Plaintiff's Objection to Report and Recommendation [18] in its Opinion and Amended Order Accepting and Adopting Report and Recommendations [19], published prior to receipt of Plaintiff's motion on September 28, 2015.

[1] Plaintiff cites to Exhibits A–D; however, no exhibits were attached to the motion the Court received. The same day his Motion for Reconsideration was filed, he also filed a second Objection to Report and Recommendation [21], which has "Ex-A" written in the bottom margins. This second document was unable to be considered by the Court due to the poor quality of the original and illegibility.

Accordingly, for the reasons discussed, the Court **HEREBY DENIES** Defendant's Motion for Reconsideration [20] as **MOOT**.

IT IS SO ORDERED.

Dated: September 29, 2015

/s/Gershwin A Drain
HON. GERSHWIN A. DRAIN
United States District Court Judge