

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

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CHARLES PELTIER, (155302)

Plaintiff,

v.

CASE NO: 15-CV-13717-DT

CONSTANCE DERAKHSHANDEH,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

This matter was referred to United States Magistrate Anthony P. Patti pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In his report filed on September 16, 2016, the magistrate judge recommended that this court grant Defendant's March 22, 2016 Motion for Summary Judgment for Failure to exhaust his administrative remedies [Dkt #22] in accordance with 28 U.S.C. § 1997e(a). No objections have been filed pursuant to 28 U.S.C. 636(b)(1)(C), thus further appeal rights are waived.<sup>1</sup>

Having reviewed the file and the report, the court concludes that the findings and conclusions of the magistrate judge are correct and ADOPTS the same for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendant Constance Derakhshandeh Motion for Summary Judgment is GRANTED.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: January 11, 2017

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The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, January 11, 2017, by electronic and/or ordinary mail.

S/Shawna C. Burns  
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