

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COURTNEY P. JORDAN,

Case No. 16-10339

Plaintiff,

Honorable Nancy G. Edmunds

v.

COMERICA BANK, INC., et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION [31]**

In a Report and Recommendation (R&R) issued on February 25, 2017 (Dkt. 31), Magistrate Judge Steven Whalen recommends that the Court deny Plaintiff's motion for summary judgment (Dkt. 22) and grant Defendants' motion for judgment affirming ERISA benefits determination. (Dkt. 23.) On March 10, 2017, Plaintiff filed an objection to the R&R. (Dkt. 34.) For the reasons that follow, the Court **OVERRULES** Plaintiff's objection and **ACCEPTS AND ADOPTS** the R&R. As a result, Plaintiff's motion for summary judgment is **DENIED** [22], Defendants' motion for judgment affirming ERISA benefits determination is **GRANTED** [23], and the case is **DISMISSED**.

I. Standard of Review

When a party objects to portions of a magistrate judge's report and recommendation on a dispositive motion, the Court reviews such portions *de novo*. Fed. R. Civ. P. 72(b). However, only specific objections that pinpoint a source of error are entitled to *de novo* review. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986). General objections, or those

that merely challenge the magistrate judge's ultimate determinations, have the "same effects as would a failure to object." *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991). That is, such objections are invalid, and the Court may treat them as if they were waived. *See Harris v. Comm'r of Soc. Sec.*, 2017 WL 343729, at *1 (E.D. Mich. Jan. 24, 2017).

II. Analysis

Plaintiff's objection argues generally that his case "has validity and merit" because "all the evidence and documents that he has provided are factual, unlike what the defendants are purporting to be true." (Dkt. 34, at 6.) Plaintiff further maintains that "important information was overlooked or lost in translation in this case and otherwise misinterpreted by the [Magistrate Judge.]" (*Id.*) His objection fails, however, to pinpoint any legal or factual error in the R&R. As a result, the Court finds that Plaintiff's objection fails to articulate a meritorious, sustainable objection, and it is overruled. *See Arroyo v. Comm'r of Soc. Sec.*, 2016 WL 424939, at *3 (E.D. Mich. Feb. 4, 2016) ("[B]are disagreement with the conclusions reached by the Magistrate Judge, without any effort to identify any specific errors in the Magistrate Judge's analysis that, if corrected, might warrant a different outcome, is tantamount to an outright failure to lodge objections to the R&R.").

III. Conclusion

Given that Plaintiff's objection to the R&R has been overruled, the Court ACCEPTS AND ADOPTS the R&R. Accordingly, Plaintiff's motion for summary judgment is DENIED, Defendants' motion for judgment affirming ERISA benefits determination is GRANTED, and the case is DISMISSED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: March 23, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 23, 2017, by electronic and/or ordinary mail.

s/Carol J. Bethel
Case Manager