

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRADLEY T. PETERSON,

Plaintiff,

vs.

Civil Action No. 16-CV-10353
HON. MARK A. GOLDSMITH

DANIEL CLANTON, et al.,

Defendants.

OPINION & ORDER

**(1) OVERRULING PLAINTIFF'S OBJECTION (Dkt. 37), (2) ACCEPTING THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION (Dkt. 36), AND (3)
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (Dkt. 30)**

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge David R. Grand, issued on April 24, 2017 (Dkt. 36). In the R&R, the Magistrate Judge recommends granting Defendants’ motion for summary judgment (Dkt. 30). Plaintiff Bradley Peterson filed an objection on May 12, 2017 (Dkt. 37), to which Defendants filed a response (Dkt. 38).

Pursuant to Federal Rule of Civil Procedure 72(b)(1), a party objecting to an R&R must file his objections within fourteen days of service. Peterson’s objection was filed beyond this fourteen-day period. The failure to file a timely objection to an R&R constitutes a waiver of the right to further judicial review. See Thomas v. Arn, 474 U.S. 140, 150 (1985). However, this rule may be relaxed in the interests of justice. See Kent v. Johnson, 821 F.2d 1220, 1222-1223 (6th Cir. 1987). Because Peterson is a pro se litigant, the Court will review his objection.

The Court reviews de novo those portions of the R&R to which a specific objection has been made. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(1). However, “a general objection

to a magistrate's report, which fails to specify the issues of contention, does not satisfy the requirement that an objection be filed. The objections must be clear enough to enable the district court to discern those issues that are dispositive and contentious." Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995).

Peterson's objection fails to specify the portion of the R&R to which he objects. The objection is mostly a summary of his past litigation and alleged mistreatment at the hands of various government officials. See Pl. Obj. at 1-2 (cm/ecf pages). Peterson also repeats his allegation that Defendant Daniel Clanton lied when he wrote in his police report that Peterson was making terroristic threats while protesting. Id. at 3 (cm/ecf page). However, Peterson does not specifically object to any of the Magistrate Judge's findings, i.e., that this alleged conduct did not amount to a violation of Peterson's First or Fourteenth Amendment rights, or that it constituted defamation or fraud.

The Court's own review of the R&R indicates that the Magistrate Judge has reached the proper conclusion for the proper reasons. Therefore, the R&R is accepted and adopted as the findings and conclusions of the Court. Accordingly, Peterson's objection is overruled and Defendants' motion for summary judgment is granted.

SO ORDERED.

Dated: August 7, 2017
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 7, 2017.

s/Marlina Williams
In the absence of Karri Sandusky
Case Manager