

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK COLSTON,

Plaintiff,

v.

BOSTON MARKET CORPORATION and
SARAH PRINZI,

Defendants.

Case No. 17-10076

Honorable Nancy G. Edmunds

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
JUNE 22, 2017 REPORT AND RECOMMENDATION [30]**

In a report and recommendation ("R & R") issued on June 22, 2017, Magistrate Judge Anthony P. Patti recommends that the Court deny without prejudice Plaintiff's motion for an order compelling Defendants to pay for his medical treatment. As explained in the R & R, Plaintiff's motion seeks a portion of the relief requested in Plaintiff's underlying complaint, but this motion is not supported by evidence that might warrant such a summary award of relief in Plaintiff's favor at an early stage of this litigation, before the parties have conducted any discovery.

Neither party has filed objections to the R & R, and the deadline for doing so has passed. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, No. 09-10933, 2012 WL 3639070, at *1 (E.D. Mich. Aug. 24, 2012) (citation omitted). Nonetheless, having reviewed the R & R, Plaintiff's underlying motion, and the remainder of the record, the Court fully

concur in the Magistrate Judge's analysis, and therefore ACCEPTS and ADOPTS the Magistrate Judge's R & R.

Accordingly, it is hereby ordered, for the reasons stated in the R & R, that Plaintiff's June 19, 2017 motion for an order directing Defendants to pay for his medical treatment [Dkt. 29] is DENIED WITHOUT PREJUDICE as prematurely filed.

SO ORDERED.

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

Dated: July 17, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 17, 2017, by electronic and/or ordinary mail.

s/Carol J. Bethel
Case Manager