

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDWARD DONALD BURLEY,

Plaintiff,

Case No. 17-CV-10110

vs.

HON. GEORGE CARAM STEEH

RHONDA RIDER,

Defendants.

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ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION [ECF No. 26]

Plaintiff Edward Donald Burley filed this pro se civil rights action against various Michigan Department of Corrections (MDOC) employees on January 12, 2017. The case was transferred to the Western District, where all of plaintiff's claims were dismissed except for his Eighth Amendment claim alleging that defendant Rhonda Rider was deliberately indifferent to his serious medical needs by providing inaccurate medical records with respect to his claim for a health-related accommodation. After the case returned to this District, plaintiff filed the present motion to reopen the dismissed claims (ECF No. 11) under Fed. R. Civ. P. 54(b). Plaintiff maintains that the previous report and recommendation failed to address all of his claims. Plaintiff's motion was referred to Magistrate

Judge Morris, who issued a report and recommendation recommending that plaintiff's motion to reopen a prior interlocutory order be denied.

The court has reviewed the file, record, and magistrate judge's report and recommendation. Objections to that report have not been filed by plaintiff within the established time period. The court agrees with the analysis conducted by the Magistrate Judge, and therefore accepts her recommendation in its entirety. Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge's report and recommendation be accepted.

IT IS HEREBY FURTHER ORDERED plaintiff's motion to reopen claims be DENIED.

Dated: August 28, 2019

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 28, 2019, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk