UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CORY WILLIAMS,

Plaintiff,

vs.

CBC INNOVIS, INC.,

Defendant.
_____/

Case No. 17-CV-10591

HON. MARK A. GOLDSMITH

ORDER
(1) ACCEPTING THE RECOMMENDATION CONTAINED IN THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION DATED NOVEMBER 28, 2017 and (2) DISMISSING THIS ACTION WITHOUT PREJUDICE

This matter is presently before the Court on the Report and Recommendation (R&R) of Magistrate Judge Patti, issued on November 28, 2017. In the R&R, the Magistrate Judge recommends that this action be dismissed for Plaintiff's failure to comply with Federal Rule of Civil Procedure 4 and his failure to show cause.

The parties have not filed objections to the R&R, and the time to do so has expired. See Fed. R. Civ. P. 72(b)(2). 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) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings."); Smith v. Detroit Fed'n of Teachers, 829 F.2d 1370, 1373-1374 (6th Cir. 1987) (failure to file objection to R&R "waived subsequent review of the matter"); Cephas v. Nash, 328 F.3d 98, 108 (2d Cir. 2003) ("As a rule, a party's failure to object to any purported error or omission in a magistrate judge's report waives further judicial review of the point."); Lardie v.

Birkett, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) ("As to the parts of the report and recommendation to which no party has objected, the Court need not conduct a review by any standard."). However, there is some authority that a district court is required to review the R&R for clear error. See Fed. R. Civ. P. 72 Advisory Committee Note Subdivision (b) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). Therefore, the Court has reviewed the R&R for clear error. On the face of the record, the Court finds no clear error and accepts the recommendation.

Accordingly, this action is dismissed without prejudice.

SO ORDERED.

Dated: January 29, 2018

s/Mark A. Goldsmith
MARK A. GOLDSMITH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served on the attorneys and parties of record herein by electronic means or U.S. Mail on January 29, 2018.

s/Kim Grimes
Case Manager Supervisor, Acting in the
Absence of Karri Sandusky, Case Manager