

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

B.R. - S.O.H. LLC (Sons of Hemp), et al.,

Plaintiffs,

vs.

Case No. 17-11093

CITY OF DETROIT,

HON. AVERN COHN

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 9)
AND
DENYING PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION (Doc. 4).

As best as can be gleaned, this is a civil rights case. Plaintiffs - a group of individuals who operate medical marijuana clinics - filed a complaint against the City of Detroit seeking a declaration that city ordinances 31-15 and 30-15 pertaining to medical marijuana are unconstitutional. Plaintiffs also assert claims under RICO and the due process clause of the 14th Amendment.

Plaintiffs filed a motion for a temporary restraining order and preliminary injunction (Doc. 4) which the Court referred to a magistrate judge for report and recommendation (Doc. 5). The magistrate judge issued a report and recommendation (MJRR), recommending that the motion be denied. (Doc. 9). The magistrate judge also issued an order to show cause as to why the case should not be dismissed based on res judicata and Rooker-Feldman. (Doc. 10).

Plaintiffs filed a document styled "Reply to United States Magistrate Judge David

R. Grand's Report and Recommendation and Show Cause Brief." (Doc. 16). Plaintiffs also filed a document styled "Response to United States Magistrate Judge David R. Grand's Report and Recommendation and Show Cause Brief." (Doc. 17). These documents appears to address the Magistrate Judge's MJRR and order to show cause.

A district court must conduct a de novo review of the parts of a magistrate judge's report and recommendation to which a party objects. 28 U.S.C. § 636(b)(1). The district "court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate" judge. Id.

Having reviewed plaintiffs' filings, the Court agrees with the magistrate judge that plaintiffs' motion should be denied. Nothing in plaintiffs' filings convince the Court that the magistrate judge erred in its analysis or recommendation that plaintiffs are not entitled to a temporary restraining order or preliminary injunction.

Accordingly, the MJRR is ADOPTED as the findings and conclusions of the Court. Plaintiffs' motion for a temporary restraining order and preliminary injunction is DENIED.

The Court will await the magistrate judge's ruling on its order to show cause.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: June 5, 2017
Detroit, Michigan