

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Ca’Ron Elestrious-Gend Loyd,

Plaintiff,

Civil Case No. 20-13099

v.

Herman Marable, *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

_____ /

ORDER
ADOPTING 11/12/21 REPORT AND RECOMMENDATION REGARDING
DEFENDANT MARABLE’S MOTION TO DISMISS

Plaintiff, an incarcerated person, filed this *pro se* action asserting claims against a litany of Defendants, under 42 U.S.C. § 1983. Upon screening of the complaint, Plaintiff’s claims were dismissed against all but two defendants, Burton Police Officer Jeremy Driggett and state district judge Herman Marable, Jr.. (*See* ECF No. 6).

The matter was then referred to the magistrate judge for all pretrial proceedings. (ECF No. 10).

On November 12, 2021, Magistrate Judge Kimberly Altman issued a Report and Recommendation wherein she recommends that a Motion to Dismiss filed by Defendant Marable be granted in part and denied in part:

Accordingly, for the reasons stated above, the undersigned RECOMMENDS that Marable’s motion to dismiss be GRANTED IN PART and DENIED IN PART. Specifically, the undersigned recommends that Loyd’s § 1983 claim against Marable be dismissed with prejudice and that the Court decline to exercise supplemental jurisdiction over any state law claims against Marable, dismissing them without prejudice.
(ECF No. 32 at 14)

The time permitted for the parties to file objections to that Report and Recommendation has passed and no objections were filed.

Accordingly, the Court hereby ADOPTS the November 12, 2021 Report and Recommendation. The Court ORDERS that Defendant Marable's Motion to Dismiss is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that the Court DISMISSES WITH PREJUDICE Plaintiff's § 1983 claim against Marable and the Court DECLINES TO EXERCISE SUPPLEMENTAL JURISDICTION over any state-law claims against Marable and dismiss those claims without prejudice.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: December 13, 2021