

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**TIMOTHY CLINGERMAN,**

Plaintiff,

vs.

**GENESEE COUNTY JAIL, *et al.*,**

Defendant.

**2:23-CV-13121-TGB-DRG**

**ORDER ADOPTING REPORT  
AND RECOMMENDATION  
(ECF NO. 20) TO DENY  
MOTION FOR DEFAULT  
JUDGMENT (ECF NO. 17)**

This matter is before the Court on Magistrate Judge David R. Grand's June 18, 2024 Report and Recommendation (ECF No. 20), recommending that Plaintiff Timothy Clingerman's Motion for Default Judgment (ECF No. 17) be denied.

The Court has reviewed Judge Grand's Report and Recommendation and finds that it is well-reasoned and supported by the applicable law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report ... to which objection is made." *Id.*

Where, as here, neither party has lodged any objections to a Report & Recommendation, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court is mindful that the docket reflects that, on two separate occasions,

efforts to serve Clingerman with the Report & Recommendation have been unsuccessful and his mail has been returned as undeliverable. But Clingerman is under a duty to keep the Court updated regarding changes in his address. In any event, despite being under no obligation to do so, the Court independently reviewed the record and sees no possible meritorious objections to the Report & Recommendation. The Court will, therefore, accept Judge Grand's June 18, 2024 Report & Recommendation as its findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that the Report and Recommendation (ECF No. 20) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Clingerman's Motion for Default Judgment (ECF No. 17) is **DENIED**.

**SO ORDERED** this 25th day of July, 2024.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge