

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Civil Case No. 07-13647
Honorable Linda V. Parker

v.

KENTON HALLIBURTON,

Defendant.

**OPINION AND ORDER DENYING AS MOOT DEFENDANT'S
REQUEST FOR HEARING ON GARNISHMENT**

This is a student loan case in which Plaintiff recently filed a request for garnishment with respect to Defendant's accounts at Morgan Chase Bank NA.

Defendant requested a hearing with respect to the garnishment. (ECF No. 21.)

This Court referred the request to Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b).

On July 25, 2017, Magistrate Judge Whalen issued a report and recommendation ("R&R") recommending that the Court deny as moot Defendant's request for a hearing. (ECF No. 35.) As Magistrate Judge Whalen explains, Defendant's accounts at the bank already are closed. Moreover, the Department of Education has approved Defendant's Application for Total and Permanent Disability, resulting in his student loans being subject to discharge.

At the conclusion of the R&R, Magistrate Judge Whalen advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Whalen. The Court therefore adopts the R&R.

Accordingly,

IT IS ORDERED that Defendant’s request for hearing (ECF No. 21) is **DENIED AS MOOT.**

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: August 16, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 16, 2017, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager