

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FELICIA MARIE DYER,

Plaintiff,

Civil Action No.
10-CV-10120

vs.

HON. MARK A. GOLDSMITH

SHADEHAEDA HARDWICK, et al.,

Defendants.

**ORDER (1) ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
SEPTEMBER 13, 2012 REPORT AND RECOMMENDATION, (2) GRANTING THE
SUMMARY JUDGMENT MOTION OF DEFENDANT TONYA WATSON, and (3)
CLOSING CASE**

This matter is presently before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Laurie J. Michelson, issued on September 13, 2012. The Magistrate Judge recommends that the motion for summary judgment of Defendant Tonya Watson, the last remaining defendant in this matter, be granted. Plaintiff has not filed objections to the R&R, and the time to do so has expired. Accordingly, Plaintiff has waived any further right to contest the Magistrate Judge’s ruling with regard to Plaintiff’s claims against Defendant Watson. See Thomas v. Arn, 474 U.S. 140, 155 (1985).¹

In any event, the Court has reviewed the R&R and concludes that summary judgment in favor of Defendant Watson is warranted for the reasons indicated by the Magistrate Judge in her R&R. Accordingly, the Court accepts and adopts the Magistrate Judge’s R&R as the finding and conclusions of the Court, and grants the summary judgment motion of Defendant Watson (Dkt.

¹ In addition, the Court notes – as did the Magistrate Judge in her R&R – that Plaintiff has failed to oppose Defendant Watson’s motion for summary judgment, despite an order issued by the Magistrate Judge requiring a response brief. Because Plaintiff has entirely failed to oppose the motion – either in the proceedings before the Magistrate Judge or in the present proceedings before this Court – this Court construes Plaintiff’s silence as signaling a clear intent to abandon her claims against Defendant Watson.

96). As Defendant Watson was the last remaining defendant in this case, no additional claims remain. Accordingly, the Clerk of Court is directed to close the case. A separate judgment shall issue.

SO ORDERED.

Dated: October 4, 2012
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 4, 2012.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager