

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAL LIFE INSURANCE
COMPANY,

Plaintiff,

CIVIL ACTION NO.11-CV-12612
HON. MARK A. GOLDSMITH

vs.

DENNIS BURNS, et al.,

Defendants,

**AMENDED ORDER ACCEPTING AND ADOPTING THE REPORT AND
RECOMMENDATION DATED JANUARY 23, 2012 and GRANTING
DEFENDANT DEBORAH BURNS' MOTION FOR SUMMARY JUDGMENT**

This matter is presently before the Court on the Report and Recommendation ("R&R") of Magistrate Judge R. Steven Whalen, issued on January 23, 2012. The Magistrate Judge recommends that Defendant Deborah Bum's motion for summary judgment be granted and that all remaining funds held in the Court Registry, after payment of funeral expenses having been already paid by Court, plus any interest be released by check made payable to Deborah Burns and Baldwin Legal Services PLLC, jointly, and mailed to: Baldwin Legal Services PLLC, 900 Wilshire Dr., Ste. 202 Troy, MI 48084, with tax identification number bearing #20-4237223- Baldwin Legal Services PLLC. Currently, said funds being in the amount of \$4,271.04, plus interest, subject to Local Rule 67.1 for applicable court fees or mandated assessments on interest, if any.

No party has filed objections to the R&R, and the time to do so has expired. Thus, any further right to challenge the recommendations reached by the Magistrate Judge is waived. Thomas v. Arn, 474 U.S. 140, 155 (1985). In any event, the Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for the correct

reasons.

Accordingly, the Magistrate Judge's R&R dated January 23, 2012 (Dkt. 34) is accepted and adopted as the findings and conclusions of the Court, and Deborah Burn's motion for summary judgment (Dkt. 21) is granted. The Clerk of Court shall release the funds remaining in the Registry of the Court by check made payable to Deborah Burns and Baldwin Legal Services PLLC, jointly, and mailed to: Baldwin Legal Services PLLC, 900 Wilshire Dr., Ste. 202 Troy, MI 48084, FORTHWITH.

This order closes the case.

SO ORDERED.

Dated: March 9, 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 March 9, 2012.

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