

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL L. BRADFORD,

Plaintiff,

v.

CAREN ALBERCOOK, et al,

Defendants.

Case No. 16-12214
Hon. Terrence G. Berg
Hon. Mona K. Majzoub

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION (DKT. 22), DENYING DEFENDANT ALBERCOOK'S
MOTION TO DISMISS (DKT. 17), AND DENYING PLAINTIFF'S MOTION IN
OPPOSITION OF SUMMARY JUDGMENT (DKT. 20)**

This matter is before the Court on Magistrate Judge Mona K. Majzoub's January 23, 2017 report and recommendation (Dkt. 22), recommending that Defendants Albercook's motion to dismiss (Dkt. 17) and Plaintiff's motion in opposition of summary judgment (Dkt. 20) be denied.

The Court has carefully reviewed the Magistrate Judge's report and recommendation, and finds it well reasoned and supported by the relevant 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 recommendations. 28 U.S.C. § 636(b)(1). If a party files written objections, the district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* As of this date, no party filed any objections to the report and recommendation, and the time to do so has now expired, meaning the district court is not obligated to

review the record independently. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate Judge's report and recommendation of January 23, 2017, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Majzoub's Report and Recommendation of January 23, 2017 (Dkt. 22) is **ACCEPTED** and **ADOPTED**. Defendant Albercook's motion to dismiss (Dkt. 17) and Plaintiff's motion in opposition to summary judgment (Dkt. 20) are **DENIED**.

SO ORDERED.

Dated: February 27, 2017

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on February 27, 2017, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager