

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL MARTIN BARNHART,

Plaintiff,

Case No. 18-cv-11753  
Hon. Matthew F. Leitman

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER DENYING AS MOOT PLAINTIFF'S APPLICATION TO  
PROCEED WITHOUT PREPAYING FEES OR COSTS (ECF #2)**

In this action, Plaintiff Michael Martin Barnhart (“Plaintiff”) challenges the denial of his applications for disability insurance and supplemental security income benefits. (*See* Compl., ECF #1.) On June 4, 2018, Plaintiff filed an application to proceed without prepaying fees or costs. (*See* Application, ECF #2.) This case has been referred to the Magistrate Judge, and the Magistrate Judge issued a report and recommendation in which she recommended that the Court deny Plaintiff’s application (the “R&R”). (*See* ECF #4.) Rather than file timely objections to the R&R,<sup>1</sup> Plaintiff paid the filing fee in this matter. Accordingly, Plaintiff’s request to proceed without prepaying fees or costs is moot.

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<sup>1</sup> The Court notes that the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505 (6th

**IT IS HEREBY ORDERED THAT** Plaintiff's application to proceed without prepaying costs or fees is **DENIED AS MOOT**.

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: July 25, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 25, 2018, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(810) 341-9764

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Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).