

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MATTHEW AARON SIMPSON II,

Case No. 23-11324

Plaintiff,

F. Kay Behm

v.

United States District Judge

TRANSUNION LLC,

Kimberly G. Altman

Defendant.

United States Magistrate Judge

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE'S MARCH 22, 2024
REPORT AND RECOMMENDATION (ECF No. 21)**

Currently before the court is Magistrate Judge Kimberly G. Altman's March 22, 2024, Report and Recommendation. (ECF No. 21). Magistrate Judge Altman recommends that Defendant TransUnion's unopposed motion be granted as to the request to dismiss for lack of prosecution, be denied as moot as to the request to extend discovery, and the entire case be dismissed without prejudice. *Id.*, PageID.80. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court

nevertheless agrees with the Magistrate Judge's recommended disposition, noting that Plaintiff Simpson has failed to file anything on the docket since their initial complaint and application to proceed *in forma pauperis* were filed approximately ten months ago. (See ECF No. 1, 2). As such, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 21) and **DISMISSES** Plaintiff's complaint without prejudice for failure to prosecute.

SO ORDERED.

Date: April 19, 2024

s/ F. Kay Behm
F. Kay Behm
United States District Judge