

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

United States of America,

Plaintiff,

Case No. 06-cv-10075

v.

Judith E. Levy

United States District Judge

Bernard E. Henry,

Mag. Judge R. Steven Whalen

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [26]  
AND DENYING AS MOOT REQUEST FOR HEARING [16]**

Before the Court is defendant Bernard E. Henry's request for a hearing on a writ of garnishment in this post-judgment student loan case, and the Magistrate Judge's Report and Recommendation that recommends denying the request as moot. (Dkts. 16, 26.)

The parties were required to file specific written objections within 14 days of service. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The failure to object to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). The

failure to object also relieves this Court from its duty to review this matter independently. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nonetheless thoroughly reviewed the Report and Recommendation, defendant's request, and the record as a whole, and agrees with the findings and conclusions of the Magistrate Judge.

Accordingly, the Report and Recommendation (Dkt. 26) is ADOPTED.

Defendant's request for a hearing (Dkt. 16) is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: May 17, 2017  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
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 May 17, 2017.

s/Felicia M. Moses  
FELICIA M. MOSES  
Case Manager