

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANDREW LEE-LEO HILL,

Plaintiff,

Case No. 1:10-cv-470

v

HON. JANET T. NEFF

KENNETH McKEE et al.,

Defendants.

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**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on November 29, 2011, recommending that this Court dismiss Plaintiff’s claims against Defendant Holmes for failure to timely effect service, and terminate this matter. Service of the Report and Recommendation to Plaintiff by U.S. Mail was returned as undeliverable to Plaintiff’s address of record. No objections to the Report and Recommendation have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (Dkt 46) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff’s claims against Defendant Holmes are dismissed and this matter is terminated for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*, 114

F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Date: December 20, 2011

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge