

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY JACKSON,

Plaintiff,

v.

FIFTH THIRD BANK,

Defendant.

No. 1:10-cv-1105

HON. ROBERT HOLMES BELL

**MEMORANDUM OPINION AND ORDER APPROVING AND ADOPTING
REPORT AND RECOMMENDATION AND DISMISSING THE COMPLAINT**

On December 20, 2010, Magistrate Judge Joseph G. Scoville issued a Report and Recommendation (“R&R”) recommending that Plaintiff Jeffrey Jackson’s complaint be dismissed for lack of subject matter jurisdiction. (Dkt. No. 9.) This matter is before the Court on Plaintiff’s objection to the R&R. (Dkt. No. 10). Also before the Court is Plaintiff’s motion to disqualify. (Dkt. No. 8.)

Plaintiff seeks to disqualify this Court because the undersigned judge was the defendant in a separate action filed by Plaintiff. (Dkt. No. 8) The subject of that action was Plaintiff’s discontent with this Court’s application of the law in yet another matter. (Case No. 1:10-cv-1255, Dkt. No. 4 at 1-2.) Plaintiff’s suit against this Court was dismissed on grounds of absolute judicial immunity and for failure to state a claim upon which relief can be granted. (*Id.* at 3.) The undersigned judge is no longer a defendant in any pending action,

and disqualification in this matter would not be appropriate based on Plaintiff's prior frivolous filings. Plaintiff has not alleged by affidavit or any other means that this Court carries any personal bias or prejudice against Plaintiff. Accordingly, Plaintiff's motion to disqualify will be denied.

Plaintiff's one page objection to the R&R does not offer any specific objections in response to the Magistrate Judge's opinion. *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995) (“[A] general objection to a magistrate’s report, which fails to specify the issues of contention, does not satisfy the requirement that an objection be filed.”). Plaintiff merely declares that the R&R is “void,” and restates his belief that he is entitled to relief under the Contract Clause of the Constitution, a matter which was squarely addressed in the R&R. (Dkt. No. 10.) Plaintiff does not have the power to “void” opinions, and he offers no argument refuting the conclusions of the Magistrate Judge.

Having reviewed the materials in this matter, the Court concludes that the December 20, 2010, R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion to disqualify (Dkt. No. 8) is **DENIED**.

IT IS FURTHER ORDERED that the December 20, 2010, R&R (Dkt. No. 9) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED** for lack of subject matter jurisdiction.

IT IS FURTHER ORDERED that all remaining motions are dismissed as **MOOT**.

Dated: July 29, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE