

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

JAMES ZIMMERMANN,

Plaintiff,

v.

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

Case No. 1:12-CV-751

HON. GORDON J. QUIST

ORDER ADOPTING REPORT AND RECOMMENDATION

On July 3, 2013, Magistrate Judge Hugh W. Brenneman issued a Report and Recommendation (R & R) (docket no. 23) recommending that this Court grant summary judgment in favor of Defendants Arkesteyn, Hegensbach, Pratt & the Michigan Department of Corrections (“Defendants”). Zimmermann has filed a timely Objection to the R & R. When a party properly objects to any part of a magistrate judge’s proposed disposition, this Court must review the disposition *de novo*. Fed. R. Civ. P. 72(b)(3). After conducting a *de novo* review of the R & R, Zimmermann’s Objection, and the pertinent portions of the record, the Court concludes that the R & R should be adopted.

Zimmermann did not oppose Defendants’ motion for summary judgment. Defendants filed their motion on December 18, 2012. Zimmermann had 28 days during which to respond to Defendants’ motion. W.D.Mich. LCivR 7.2(c) (“Any party opposing a dispositive motion shall, within twenty-eight (28) days after service of the motion, file a responsive brief and any supporting materials.) Zimmermann did not file a response. Nonetheless, seven months later, Zimmermann filed an Objection to the R & R raising his arguments in opposition to Defendants’ motion for summary judgment.

