

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLES J. BEARD and  
MICHELLE L. BEARD,

Plaintiffs,

Case No. 1:15-cv-1232

v.

HON. JANET T. NEFF

HSBC MORTGAGE SERVICES, INC.,

Defendant.

**ORDER**

This is a civil action involving *pro se* litigants. Defendant filed a Motion “for an order granting defendant’s pending and unopposed motion for summary judgment, ECF no. 30, or in the alternative, an order dismissing plaintiffs’ complaint with prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute and comply with a court order, ECF no. 39” (ECF No. 42). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on April 18, 2017, recommending that this Court grant Defendant’s motion to dismiss plaintiffs’ complaint pursuant to Fed. R. Civ. P. 41(b) (ECF No. 42) and dismiss this action with prejudice. The Report and Recommendation was duly served on the parties.<sup>1</sup> No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

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<sup>1</sup>Service of the Report and Recommendation on Plaintiff Charles J. Beard was returned, marked “return to sender” and “forwarding time expired.” Plaintiff Charles J. Beard has failed to keep the Court apprised of his current address.

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 43) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant's Motion to dismiss plaintiffs' complaint pursuant to Fed. R. Civ. P. 41(b) (ECF No. 42) is GRANTED.

A Judgment will be entered consistent with this Order.

Dated: May 9, 2017

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