

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MATTHEW DAVID GLEASON,

Plaintiff,

v.

PRESIDENT OF UNITED STATES,

Defendant.

Case No. 1:17-cv-413

HON. JANET T. NEFF

_____ /

OPINION AND ORDER

Plaintiff filed this *pro se* action against the President of the United States. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation, recommending that the matter be dismissed for failure to state a claim (ECF No. 7). The matter is presently before the Court on Plaintiff's objection to the Report and Recommendation (ECF No. 8). In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objection has been made.

Plaintiff objects to the Report and Recommendation in only general terms and fails to demonstrate any factual or legal error in the Magistrate Judge's determination. The Magistrate Judge properly determined the present case must be dismissed for failure to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B)(ii). Accordingly, this Court denies the objection and approves and adopts the Magistrate Judge's Report and Recommendation as the Opinion of this Court.

Because this Opinion and Order resolves all pending claims in this case, a Judgment will be entered. *See* FED. R. CIV. P. 58. Further, because this action was filed in forma pauperis, this Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of the Judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

Therefore:

IT IS HEREBY ORDERED that the Objection (ECF No. 8) is DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 7) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint (ECF No. 1) is DISMISSED for failure to state a claim.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of the Judgment would not be taken in good faith.

Dated: November 15, 2017

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