

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

de CARLOS FREEMAN,

Plaintiff,

v.

UNKNOWN ROBBINS, et al.,

Defendants.

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Case No. 1:17-cv-694

HON. JANET T. NEFF

**OPINION AND ORDER**

This matter is before the Court on Plaintiff's Objection (ECF No. 12) to the Magistrate Judge's Report and Recommendation (R & R), recommending that Plaintiff's claims be dismissed for failure to prosecute; specifically, for Plaintiff's failure to provide the Court with his correct mailing address (ECF No. 10). The Court has performed de novo consideration of those portions of the Report and Recommendation to which objection has been made. *See* 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3).

The R & R states that it serves as the first notice to Plaintiff of the address deficiency and affords him the opportunity to contest the dismissal. Because Plaintiff in response has provided his full, corrected address in his Objection and advises that he will not change his address without notifying the Court, the Court grants the objection.

Accordingly:

**IT IS HEREBY ORDERED** that the Objection (ECF No. 12) is GRANTED and the Report and Recommendation of the Magistrate Judge (ECF No. 10) is NOT ADOPTED.

**IT IS FURTHER ORDERED** that Plaintiff shall properly and timely notify the Court of any address change.

**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.

Dated: September 7, 2017

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