

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CRISTELA VALENCIA,

Plaintiff,

v.

WORKER'S COMPENSATION,

Defendant.

Case No. 1:18-cv-45

HON. JANET T. NEFF

OPINION AND ORDER

This matter is presently before the Court on Plaintiff's pro se objections to a January 22, 2018 Report and Recommendation (R&R) issued by the Magistrate Judge, recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2) for failure to state a claim. 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 objections have been made. The Court denies the objections and issues this Opinion and Order.

Plaintiff's objections demonstrate her general dissatisfaction with the recommended result in this case, but they do not reference, let alone demonstrate error in, the Magistrate Judge's jurisdictional analysis. *See* W.D. Mich. LCivR 72.3(b) (requiring an objecting party to "specifically identify the portions of the ... recommendations or report to which objections are made and the basis for such objections"). The Court discerns no basis upon which to reject the Magistrate Judge's ultimate conclusion that Plaintiff's Complaint fails to state a claim on which relief could be granted in federal court. *See* FED. R. CIV. P. 12(b).

Therefore, Plaintiff's objections, as well as her request therein for an interpreter, are properly denied, and a Judgment will be entered consistent with this Opinion and Order. *See* FED. R. CIV. P. 58. For the above reasons and because this action was filed *in forma pauperis*, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Accordingly:

IT IS HEREBY ORDERED that the Objections (ECF No. 7, 8) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 6) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint (ECF No. 1) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2) for the reasons stated in the Report and Recommendation.

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: February 12, 2018

/s/ Janet T. Neff

JANET T. NEFF
United States District Judge