

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

ANDREW B. BURNETT
and JEFFERY R. BURNETT,

Plaintiffs,

v.

JOHN FITZGERALD, et al.,

Defendants.

Case No. 2:11-CV-70

HON. GORDON J. QUIST

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiffs, Andrew B. Burnett and Jeffrey R. Burnett, proceeding *pro se*, have sued a number of Defendants alleging claims pursuant to the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, and other laws. On March 15, 2011, Magistrate Judge Greeley issued an order granting Plaintiffs leave to proceed *in forma pauperis*. Magistrate Judge Greeley thereafter screened Plaintiffs' Complaint, as he was authorized to do by 28 U.S.C. § 1915(e)(2), to determine whether it is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant immune from such relief. 28 U.S.C. § 1915(e)(2); *see also Benson v. O'Brian*, 179 F.3d 1014, 1016 (6th Cir. 1999) (holding that "§ 1915(e)(2) applies only to in forma pauperis proceedings"). On May 31, 2011, Magistrate Judge Greeley issued a report and recommendation that Plaintiffs' Complaint be dismissed because this Court lacks jurisdiction over Plaintiffs' claims under the *Rooker-Feldman* doctrine. *See Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 416, 44 S. Ct. 149, 150 (1923) and *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482, 103 S. Ct. 1303, 1315 (1983). Thus, Magistrate Judge Greeley recommended that Plaintiffs' claims be dismissed in their entirety.

As permitted by 28 U.S.C. § 636(b)(1), Plaintiffs have filed an Objection to the Report and Recommendation. Having conducted a *de novo* review of the Report and Recommendation,

