

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JEFFREY SCOTT KOWALSKI,

Plaintiff,

v.

Case Number 10-12180-BC
Honorable Thomas L. Ludington

CHRIS KOSTER, in his official capacity as
attorney general of the State of Missouri,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
AND GRANTING PLAINTIFF'S MOTION FOR A CHANGE OF VENUE**

Magistrate Judge Charles E. Binder issued a report and recommendation [Dkt. # 14] on April 26, 2011, recommending that the Court grant Plaintiff's motion to transfer this case to the Western District of Missouri. Judge Binder noted that Defendant does not oppose the transfer. Any party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Accordingly, it is **ORDERED** that the Judge Binder's report and recommendation [Dkt. # 14] is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for a change of venue [Dkt. # 13] is **GRANTED**. The Clerk is **DIRECTED** to transfer this case to the Western District of Missouri.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: May 12, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and on Jeffrey Scott Kowalski, 17445 Roosevelt Road, Hemlock, MI 48626 by first class U.S. mail on May 12, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS