

F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, Magistrate Judge Ruiz' Report and Recommendation is **ADOPTED** and the case is dismissed without prejudice.

IT IS SO ORDERED.

Dated:11/15/2017

S/Christopher A. Boyko

CHRISTOPHER A. BOYKO

UNITED STATES DISTRICT JUDGE