

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

GREGORY VALENTINE,)	
)	
Plaintiff,)	
)	NO. 1:18-cv-00021
v.)	
)	JUDGE CAMPBELL
)	MAGISTRATE JUDGE FRENSLEY
COLUMBA McHALE, et al.,)	
)	
Defendants.)	


ORDER

Pending before the Court is the Magistrate Judge’s Report and Recommendation (Doc. No. 24), recommending the Court grant the motion to dismiss (Doc. No. 20) filed by Defendant Tennessee Board of Parole. In the Report, the Magistrate Judge concluded that Defendant should be dismissed from this action because Plaintiff failed to state a claim against it. The Report advised the parties that any objections must be filed within 14 days of service. In response, Plaintiff filed “Rule 5 Reply to Motion of Respondent Answer Date of 7-22-19” (Doc. No. 25). The Court will construe the filing as an objection.

Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. *See Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, “only those specific objections to the magistrate’s report made to the district court will be preserved for appellate review.” *Id.* (quoting *Smith v. Detroit Fed’n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting the review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

In his filing, Plaintiff argues the failure to properly serve Defendant was due to the Clerk of Court's failure to provide him with the appropriate documents. Although Defendant's motion to dismiss based its request for dismissal on inadequate service of process as well as failure to state a claim, the Magistrate Judge did not base his conclusion on inadequate service. Thus, Plaintiff's filing fails to state viable grounds to challenge the Magistrate Judge's conclusion, nor does it otherwise provide a basis to reject or modify the Report and Recommendation. Accordingly, the Report and Recommendation is adopted and approved, the motion to dismiss (Doc. No. 24) filed by Defendant Tennessee Board of Parole is **GRANTED**, and the Tennessee Board of Parole is **TERMINATED** as a defendant in this action.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE