

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

MAXWELL KREMER,)	
)	
Plaintiff,)	
)	
v.)	NO. 2:24-cv-00028
)	
WEBADOR.COM, et al.,)	JUDGE CAMPBELL
)	MAGISTRATE JUDGE NEWBERN
Defendants.)	

ORDER

Pending before the Court is the Magistrate Judge’s Report (Doc. No. 26), recommending that Defendant Stripe, Inc.’s motion to dismiss (Doc. No. 8) be granted and Plaintiff’s claims against Stripe, Inc. be dismissed without prejudice because Plaintiff has not effected service of process. In the alternative, the Magistrate Judge recommends that Stripe, Inc.’s motion to dismiss and compel arbitration be granted and Plaintiff’s motion for judgment on the pleadings against Defendant Stripe, Inc. should be terminated as moot. The Magistrate Judge further recommends that Plaintiff’s motion for injunctive relief and motion for entry of default (Doc. No. 9) against Defendant Webador.com be denied. Plaintiff filed an objection and supporting memorandum (Doc. Nos. 28, 29).

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).

Plaintiff generally objects to the Report and Recommendation as “lacking scrutiny of justice” and specifically objects to the statements in the Report that: “Webador has not yet appeared” and “Kremer threatened to sue Stripe...” as “shameful” and “disrespectful.” (Doc. No. 28 at 1-2). Plaintiff’s supporting memorandum cites to the federal criminal code for wire fraud and submits that Defendants committed a crime. (Doc. No. 29 (quoting 18 U.S.C. § 1341)). Plaintiff’s foregoing objections fail to identify any specific factual or legal errors on the part of the Magistrate Judge in making her determination. Objections which do not identify an error are meritless. *See Howard v. Sec. of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991).

Plaintiff also appears to object to the Magistrate Judge’s determination that he is required to effect service of process on Defendants, arguing that he served Defendants with process while the action was still in state court. (Doc. No. 29 at 2 (citing Fed. R. Civ. P. 81)). This objection simply restates the argument that Plaintiff previously made in his motion for injunctive relief and opposition to Defendant Stripe, Inc.’s motion to dismiss, which the Magistrate Judge already considered. (*See* Report and Recommendation, Doc. No. 26 at 8 (quoting Doc. No. 9 at PageID # 268)). As such, Plaintiff’s objection does not provide a basis to reject or modify the Report and Recommendation. *See VanDiver v. Martin*, 304 F. Supp. 2d 934, 937 (E.D. Mich. 2004) (“An ‘objection’ that does nothing more than state a disagreement with a magistrate’s suggested resolution, or simply summarizes what has been presented before, is not an ‘objection’ as that term is used in this context.”).

Having reviewed the Report and Recommendation and considered Plaintiff’s objections, the Court concludes that Plaintiff’s objections are without merit, and the Report and

Recommendation (Doc. No. 26) should be adopted and approved. Accordingly, Defendant Stripe, Inc.'s motion to dismiss (Doc. No. 8) is **GRANTED** and Plaintiff's claims against Defendant Stipe, Inc. are **DISMISSED WITHOUT PREJUDICE** for failure to effect service of process. Additionally, Plaintiff's motion for injunctive relief and motion for entry of default (Doc. No. 9) against Defendant Webador.com are **DENIED**.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
CHIEF UNITED STATES DISTRICT JUDGE