

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Dale Herman v. Aaron Hawkins, et al.

Herman · No. 2:25-CV-10924-TGB-EAS · Decided March 2, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopts Magistrate Judge Elizabeth A. Stafford’s Report and Recommendation concerning Defendants’ motion for summary judgment based on alleged failure to exhaust administrative remedies. The court denies the motion for summary judgment because neither party filed objections to the Report and Recommendation.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Terrence G. Berg
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	March 2, 2026
DOCKET	2:25-CV-10924-TGB-EAS
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending denial of Defendants' motion for summary judgment based on alleged failure to exhaust administrative remedies. Neither party filed objections.
STANDARD OF REVIEW	When no objections are filed to a magistrate judge's report and recommendation, the district court is not obligated to independently review the record. If objections are filed, the district court conducts a de novo determination of the portions to which objection is made.
PRECEDENTIAL VALUE	Unknown

TOPICS

- summary judgment
- prisoners rights
- civil procedure
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court was required to independently review the record when neither party objected to the magistrate judge's Report and Recommendation.
2. Whether the magistrate judge's recommendation to deny Defendants' summary-judgment motion should be adopted.

HOLDINGS

1. When neither party objects to a magistrate judge's report and recommendation, the district court is not obligated to independently review the record and may accept the recommendation as the court's findings of fact and conclusions of law.
2. Defendants' motion for summary judgment based on Plaintiff's alleged failure to exhaust administrative remedies is denied.

KEY QUOTATIONS

“The Court will, therefore, accept Magistrate Judge Stafford’s February 5, 2026 Report and Recommendation as this Court’s findings of fact and conclusions of law.”

“Accordingly, it is hereby ORDERED that Magistrate Judge Stafford’s Report and Recommendation, ECF No. 37, is ACCEPTED and ADOPTED.”

FACTUAL BACKGROUND

Defendants moved for summary judgment on the ground that Plaintiff allegedly failed to exhaust administrative remedies. Magistrate Judge Stafford recommended denial of the motion. Neither party objected to the Report and Recommendation.

PROCEDURAL HISTORY

Magistrate Judge Elizabeth A. Stafford issued a February 5, 2026 Report and Recommendation recommending that Defendants' motion for summary judgment be denied. No party objected. The district court adopted the Report and Recommendation as its findings of fact and conclusions of law and denied the motion for summary judgment.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149-52 (1985)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION DALE HERMAN, 2:25-CV-10924-TGB-EAS Plaintiff, HON. TERRENCE G. BERG vs. ORDER ADOPTING REPORT AARON HAWKINS, et al., AND RECOMMENDATION Defendants. (ECF NO. 37) This matter is before the Court on Magistrate Judge Elizabeth A. Stafford's February 5, 2026 Report and Recommendation, ECF No. 37, recommending that Defendants' Motion for Summary Judgment based on Plaintiff's alleged failure to exhaust administrative remedies, ECF No. 24, be DENIED.

The Court has reviewed Magistrate Judge Stafford's Report and Recommendation and finds that it is well-reasoned and supported by the applicable law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendation. 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 has lodged objections to the report, the district court is not obligated to independently review the record. See *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985).

The Court will, therefore, accept Magistrate Judge Stafford's February 5, 2026 Report and Recommendation as this Court's findings of fact and conclusions of law. Accordingly, it is hereby ORDERED that Magistrate Judge Stafford's Report and Recommendation, ECF No. 37, is ACCEPTED and ADOPTED. It is FURTHER ORDERED that Defendants' Motion for Summary Judgment, ECF No. 24, is DENIED.

IT IS SO ORDERED. Dated: March 2, 2026 /s/Terrence G. Berg HON. TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE