

**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.

OPINION

Herman

PER CURIAM.

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

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