

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

Marlo Darius Brown v. City of Warren, et al.

Brown · No. 2:25-cv-12415 · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of Michigan adopted a magistrate judge’s report and recommendation recommending denial of Marlo Darius Brown’s motion for a temporary restraining order. The court stayed and administratively closed the case under *Younger v. Harris* pending conclusion of Brown’s ongoing state criminal prosecution, while permitting him to move to reopen within 60 days after that prosecution concludes.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Susan K. DeClercq
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	December 9, 2025
DOCKET	2:25-cv-12415
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending denial of Plaintiff's motion for a temporary restraining order and a stay and administrative closure under <i>Younger v. Harris</i> .
STANDARD OF REVIEW	The district court reviewed the report and recommendation for clear error in the absence of objections and found no prejudicial clear error.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Marlo Darius Brown v. City of Warren, et al.

TOPICS

- injunctions
- federalism
- civil procedure

PRACTICE AREAS

civil procedure

constitutional law

civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when no party filed objections.
2. Whether Brown's motion for a temporary restraining order should be denied.
3. Whether the federal case should be stayed and administratively closed under *Younger v. Harris* while Brown's state criminal prosecution remains ongoing.

HOLDINGS

1. When no party objects within the prescribed period, the parties forfeit their right to appeal the magistrate judge's findings, and the district court may review the report for prejudicial clear error.
2. Brown's motion for a temporary restraining order was denied.
3. The case was stayed and administratively closed until the conclusion of Brown's ongoing state criminal prosecution, with leave for Brown to move to reopen within sixty days after that prosecution concludes.

KEY QUOTATIONS

"Accordingly, it is ORDERED that the Report and Recommendation, ECF No. 17, is ADOPTED. Further, it is ORDERED that Plaintiff's Motion for a Temporary Restraining Order, ECF No. 13, is DENIED."

"Further, it is ORDERED that the above-captioned case is STAYED and ADMINISTRATIVELY CLOSED until the conclusion of Brown's state criminal prosecution."

FACTUAL BACKGROUND

Brown had an ongoing state criminal prosecution. While that prosecution was pending, he filed a federal action and moved for a temporary restraining order. The magistrate judge recommended denial of the requested injunction and abstention under *Younger v. Harris*.

PROCEDURAL HISTORY

Magistrate Judge Elizabeth A. Stafford issued a report and recommendation on October 30, 2025. The report recommended denying Brown's motion for a temporary restraining order and staying and administratively closing the case because Brown's state criminal prosecution was ongoing. No party filed objections within the fourteen-day period, and the district court adopted the report, denied the motion, and stayed and administratively closed the case until the state prosecution concluded.

DISPOSITION

other

CASES CITED

- *Younger v. Harris*, 401 U.S. 37 (1971)
- *Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019)
- *Thomas v. Arn*, 474 U.S. 140, 149 (1985)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION MARLO DARIUS BROWN, Plaintiff, Case No. 2:25-cv-12415 v. Honorable Susan K. DeClercq United States District Judge CITY OF WARREN, et al., Honorable Elizabeth A. Stafford Defendants. United States Magistrate Judge _____/ ORDER ADOPTING REPORT AND RECOMMENDATION (ECF No. 17), DENYING PLAINTIFF’S MOTION FOR A TEMPORARY RESTRAINING ORDER (ECF No. 13), AND SUA SPONTE STAYING AND ADMINISTRATIVELY CLOSING CASE On October 30, 2025, Magistrate Judge Elizabeth A. Stafford issued a report recommending that this Court deny Plaintiff Marlo Darius Brown’s motion for a temporary restraining order.

ECF No. 17. Judge Stafford also recommended that this Court sua sponte stay and administratively close Brown’s case under *Younger v. Harris*, 401 U.S. 37 (1971), because Brown’s state criminal prosecution is ongoing Id. at PageID.66. Judge Stafford provided 14 days for objections to be filed, but no party filed objections. They have therefore forfeited their right to appeal Judge Stafford’s findings.

See *Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Moreover, there is no prejudicial clear error in the report. Accordingly, it is ORDERED that the Report and Recommendation, ECF No. 17, is ADOPTED. Further, it is ORDERED that Plaintiff’s Motion for a Temporary Restraining Order, ECF No. 13, is DENIED.

Further, it is ORDERED that the above-captioned case is STAYED and ADMINISTRATIVELY CLOSED until the conclusion of Brown’s state criminal prosecution. Within 60 days of the conclusion of Brown’s state criminal prosecution, he may move to reopen this case. This is not a final order and does not close the above-captioned case. /s/Susan K. DeClercq SUSAN K. DeCLERCQ United States District Judge Dated: December 9, 2025