

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

Casey Harmon v. State of Michigan, et al.

No. 1:25-cv-1457, United States District Court for the Western District of Michigan, Southern Division
(February 23, 2026)

SUMMARY

The United States District Court for the Western District of Michigan denied Plaintiff Casey Harmon’s objections to a Report and Recommendation and adopted the recommendation as the opinion of the court. The court dismissed the in forma pauperis complaint under 28 U.S.C. § 1915(e)(2)(B) and certified that an appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Jane M. Beckering
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	February 23, 2026
DOCKET	1:25-cv-1457
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff objected to a Magistrate Judge's Report and Recommendation recommending dismissal of the complaint at initial screening under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3) of the portions of the Report and Recommendation to which objections were made.
PRECEDENTIAL VALUE	unpublished
PARTIES	Casey Harmon v. State of Michigan, et al.

TOPICS

- civil procedure
- section 1983
- civil rights

PRACTICE AREAS

Civil rights

Federal civil procedure

In forma pauperis screening

QUESTIONS PRESENTED

1. Whether Plaintiff's objections demonstrated factual or legal error in the Magistrate Judge's Report and Recommendation.
2. Whether the complaint should be dismissed upon initial screening under 28 U.S.C. § 1915(e)(2)(B).
3. Whether the Court should certify under 28 U.S.C. § 1915(a)(3) that an appeal would not be taken in good faith.

HOLDINGS

1. The objections were properly denied because they did not address or reveal factual or legal error in the Magistrate Judge's analysis or conclusion.
2. The complaint was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B) for the reasons stated in the Magistrate Judge's Report and Recommendation, which the Court approved and adopted as its Opinion.
3. The Court certified under 28 U.S.C. § 1915(a)(3) that an appeal of the decision would not be taken in good faith.

FACTUAL BACKGROUND

Plaintiff alleged civil rights violations arising from his criminal preliminary examination proceeding in state court. The District Court stated that Plaintiff's objections raised additional concerns about the criminal proceeding but did not address or identify error in the grounds for dismissal analyzed by the Magistrate Judge.

PROCEDURAL HISTORY

Plaintiff filed a civil rights complaint in November 2025 arising from a state-court criminal preliminary examination proceeding. On December 26, 2025, the Magistrate Judge recommended dismissal upon initial screening. The District Court conducted de novo review of the portions to which Plaintiff objected, denied the objections, approved and adopted the Report and Recommendation, dismissed the complaint, and certified that an appeal would not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- *McGore v. Wigglesworth*, 114 F.3d 601, 610–11 (6th Cir. 1997)
- *Jones v. Bock*, 549 U.S. 199, 206, 211–12 (2007)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION CASEY HARMON, Plaintiff, Case No. 1:25-cv-1457 v. HON. JANE M. BECKERING STATE OF MICHIGAN, et al., Defendants. _____/ OPINION AND ORDER Plaintiff initiated this case in November 2025 with the filing of a Complaint against several Defendants, alleging civil rights claims arising from his criminal preliminary examination proceeding in state court.

On December 26, 2025, the Magistrate Judge issued a Report and Recommendation, recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2)(B). The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (ECF No. 10).

Under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3), the Court is obliged to perform de novo consideration of those portions of the Report and Recommendation to which objections have been made. Plaintiff's objections do not address—let alone reveal error in—the bases for dismissal discussed by the Magistrate Judge. Rather, in his “objections” to the Report and Recommendation, Plaintiff describes additional concerns he has about the criminal proceeding (ECF No. 10 at PageID.46–47).

Because Plaintiff fails to demonstrate any factual or legal error in the Magistrate Judge's analysis or conclusion, the Report and Recommendation will be approved and adopted as the Opinion of the Court. Additionally, a Judgment will be entered consistent with this Opinion and Order. See FED. R. CIV. P. 58.

For the above reasons and because this action was filed in forma pauperis, this Court will also certify pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. See *McGore v. Wrigglesworth*, 114 F.3d 601, 610–11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211–12 (2007).

Accordingly: IT IS HEREBY ORDERED that the Objections (ECF No. 10) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 8) is APPROVED and ADOPTED as the Opinion of the Court. IT IS FURTHER ORDERED that the Complaint (ECF No. 1) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. Dated: February 23, 2026 /s/ Jane M. Beckering JANE M. BECKERING United States District Judge