

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Ricky Moore v. Devonta Lyons, et al.

Moore · No. 23-11815 · Decided January 24, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan considers Ricky Moore's objections to a magistrate judge's Report and Recommendation. Although the court accepts the untimely objections due to the plaintiff's showing of cause, it overrules them as procedurally insufficient and leaves the case closed.

OPINION

Moore

PER CURIAM.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Ricky Moore, Plaintiff, Case No. 23-11815 v. Judith E. Levy United States District Judge Devonta Lyons, et al., Mag. Judge Kimberly G. Altman Defendants.

ORDER OVERRULING PLAINTIFF'S OBJECTION [39]

Before the Court are Plaintiff's objections (ECF No. 39) to Magistrate Judge Kimberly G. Altman's Report and Recommendation ("R&R"). (ECF No. 35.)

Judge Altman's R&R was issued on July 18, 2025. (ECF No. 35.) As set forth in the R&R, objections to Judge Altman's R&R were due within 14 days of service. (Id. at PageID.320 (citing Fed. R. Civ. P. 72(b)(2); E.D. Mich. LR 72.1(d)).) On August 13, 2025, the Court adopted Judge Altman's R&R and entered a judgment in this case, and noted that no objections had been filed. (ECF Nos. 36, 37.) On January 5, 2026, the Court received a notice of change of address and objections to the R&R from Plaintiff Ricky Moore. (ECF Nos. 38, 39.) In his notice, Plaintiff explains that his mail was not properly delivered to him. (ECF No. 38.) Because Plaintiff sufficiently showed cause for his failure to file timely objections, the Court will consider his objections. However, Plaintiff's objections are not sufficient. "For an objection to be proper, Eastern District of Michigan Local Rule 72.1(d)(1) requires parties to 'specify the part of the order, proposed findings, recommendations, or report to which [the party] objects' and to 'state the basis for the objection.'" *Pearce v. Chrysler Group LLC Pension Plan*, 893 F.3d 339, 346 (6th Cir.

2018). Objections that restate arguments already presented to the magistrate judge are improper, *Coleman-Bey v. Bouchard*, 287 F. App'x 420, 422 (6th Cir. 2008) (citing *Brumley v. Wingard*, 269 F.3d 629, 647 (6th Cir. 2001)), as are those that are vague and dispute the general correctness of the report and recommendation. *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). Here, Plaintiff does not state the basis for his objections. (ECF No. 39, PageID.229.) As such, his objections are not proper and do not provide a basis for relief. For the reasons set above, Plaintiff's objections are **OVERRULED**. This case remains closed. **IT IS SO ORDERED**. Dated: January 24, 2026 s/Judith E. Levy Ann Arbor, Michigan **JUDITH E. LEVY** United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 24, 2026. s/William Barkholz

WILLIAM BARKHOLZ

Case Manager