

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN**

Brandon Alarie v. John Alarie, et al.

Alarie · No. 25-10008 · Decided March 11, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopted the magistrate judge's Report and Recommendation and granted Plaintiff Brandon Alarie's motion to dismiss. The action was dismissed without prejudice under Federal Rule of Civil Procedure 41(a)(2), and the remaining motions were denied as moot.

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION Brandon Alarie, Plaintiff, Case No. 25-10008 v. Judith E. Levy United States District Judge John Alarie, et al., Mag. Judge Anthony P. Patti Defendants.
_____/ ORDER ADOPTING REPORT AND RECOMMENDATION [67] Before the Court is Magistrate Judge Anthony P. Patti's Report and Recommendation ("R&R") recommending the Court grant Plaintiff's motion to dismiss (ECF No. 60), dismiss the case without prejudice, and deny all remaining motions as moot.

(ECF Nos. 23, 25, 37, 39, 53.) The parties were required to file specific written objections, if any, within 14 days of service. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The Court has nevertheless carefully reviewed the R&R and concurs in the reasoning and result.¹ 1 The Court notes that the dismissal of this suit against all Defendants is done pursuant to Federal Rule of Civil Procedure 41(a)(2) as specifically requested by Accordingly, The Report and Recommendation (ECF No. 67) is ADOPTED; Plaintiff's motion to dismiss (ECF No. 60) is GRANTED; The remaining motions (ECF Nos. 23, 25, 37, 39, 53) are DENIED AS MOOT; and, This case is hereby DISMISSED WITHOUT PREJUDICE.² IT IS SO ORDERED.

Dated: March 11, 2026 s/Judith E. Levy Ann Arbor, Michigan JUDITH E. LEVY United States District Judge Plaintiff. (ECF No. 60, PageID.1585 (moving for dismissal under Rule 41(a)(2)).) The Court clarifies that several Defendants— L'Anse Creuse Public Schools, John Alarie, Bonnie Alarie, Datum Precision Machine, Inc., Chesterfield Township Police Department, and Township of Chesterfield—were eligible for dismissal without a court order under Rule 41(a)(1) because they had not filed an answer or motion to dismiss.

However, Plaintiff is not required to seek dismissal under Rule 41(a)(1), and may nonetheless seek dismissal under Rule 41(a)(2) against Defendants who could be dismissed without a court order.

See *Wellfount, Corp. v. Hennis Care Ctr. of Bolivar, Inc.*, 951 F.3d 769, 773 (6th Cir. 2020).

As such, dismissal of this suit will proceed under Rule 41(a)(2). 2 By failing to object to the Report and Recommendation, the parties have forfeited any further right of appeal. *United States v. Wandahsega*, 924 F.3d 868, 878 (6th Cir. 2019); see also *Berkshire v. Beauvais*, 928 F.3d 520, 530 (6th Cir. 2019). 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 March 11, 2026. s/William Barkholz WILLIAM BARKHOLZ Case Manager