

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Laurie Bishop v. Garland Doyle et al.

No. 2:25-CV-11577-TGB-KGA · No. 2:25-CV-11577-TGB-KGA · Decided January 15, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopted a magistrate judge’s Report and Recommendation recommending dismissal of the defendants’ motions and sua sponte dismissal of certain defendants. The court granted the motions to dismiss, struck the plaintiff’s supplemental allegations, and dismissed the case with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Terrence G. Berg
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	January 15, 2026
DOCKET	2:25-CV-11577-TGB-KGA
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's report and recommendation granting two groups of defendants' motions to dismiss and recommending sua sponte dismissal of additional defendants. The court also struck the plaintiff's post-report supplemental filing because it was construed as an amendment submitted without the required leave.
STANDARD OF REVIEW	When no objections are filed to a magistrate judge's report and recommendation, the district court is not obligated to conduct an independent review of the record. If objections are filed, the district court conducts a de novo determination of the portions to which objection is made.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Laurie Bishop v. Garland Doyle, Jocelyn Benson, Dana Nessel, Tim Greimel, Michael McGuinness, Melanie Rutherford, Deirdre Waterman, David Coulter, Michael Bouchard, Lisa Brown

TOPICS

motions to dismiss

motion to amend

pleadings

civil rights

civil procedure

PRACTICE AREAS

civil procedure

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 the defendants' motions to dismiss should be granted and the action dismissed with prejudice.
3. Whether the plaintiff's supplemental allegations should be treated as an amendment and struck because no leave to amend was requested.

HOLDINGS

1. When neither party files objections to a magistrate judge's report and recommendation, the district court is not obligated to independently review the record and may accept the report as the court's findings of fact and conclusions of law.
2. The defendants' motions to dismiss were granted, and the action was dismissed with prejudice.
3. A filing that could be construed as an amendment to the complaint may be stricken when the plaintiff did not request the leave to amend required by Federal Rule of Civil Procedure 15(a)(2).

KEY QUOTATIONS

“*It is FURTHER ORDERED that the case is DISMISSED WITH PREJUDICE.*” (Order at disposition)

FACTUAL BACKGROUND

Laurie Bishop brought an action against multiple defendants, including state and local officials. Defendants Jocelyn Benson and Dana Nessel filed one motion to dismiss, while Tim Greimel, Michael McGuinness, Melanie Rutherford, Garland Doyle, and Deirdre Waterman filed another. After the magistrate judge recommended dismissal, Bishop filed a supplemental document containing additional allegations and requests, including a request concerning control and redevelopment rights to the Crystal Lake peninsula.

PROCEDURAL HISTORY

Magistrate Judge Kimberly G. Altman issued an October 21, 2025 Report and Recommendation recommending that the motions to dismiss filed by the Benson-Nessel defendants and the Greimel, McGuinness, Rutherford, Doyle, and Waterman defendants be granted, and that Coulter, Bouchard, and Brown be dismissed sua sponte. No party filed objections within the applicable period. The district court accepted and adopted the Report and Recommendation, granted the motions to dismiss, dismissed the case with prejudice, and directed the Clerk to strike Plaintiff's November 4, 2025 supplemental filing.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149-52 (1985)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION LAURIE BISHOP, 2:25-CV-11577-TGB-KGA Plaintiff, ORDER ADOPTING REPORT AND RECOMMENDATION vs. (ECF NO. 19) GARLAND DOYLE ET AL., Defendants. This matter is before the Court on Magistrate Judge Kimberly G. Altman's October 21, 2025 Report and Recommendation (ECF No. 19), recommending that Defendants Jocelyn Benson and Dana Nessel's Motion to Dismiss (ECF No. 5) be granted, that Defendants Tim Greimel, Michael McGuinness, Melanie Rutherford, Garland Doyle, and Deirdre Waterman's Motion to Dismiss (ECF No. 11) be granted, and that David Coulter, Michael Bouchard, Lisa Brown be sua sponte dismissed.

The Court has reviewed Judge Altman'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,¹ 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 Judge Altman's Report and Recommendation of October 21, 2025, as this Court's findings of fact and conclusions of law. Accordingly, it is hereby ORDERED that Judge Altman's Report and Recommendation of October 21, 2025 (ECF No. 19) is ACCEPTED and ADOPTED. It is FURTHER ORDERED that Defendants Jocelyn Benson and Dana Nessel's Motion to Dismiss (ECF No. 5) is GRANTED and that Defendants Tim Greimel, Michael McGuinness, Melanie Rutherford, Garland Doyle, and Deirdre Waterman's Motion to Dismiss (ECF No. 11) is GRANTED.

It is FURTHER ORDERED that the case is DISMISSED WITH PREJUDICE. ¹ On November 4, 2025, Plaintiff Bishop filed a document titled "Exhibit G — Supplemental Allegations (Final Addendum)." ECF No. 20. The Court is not aware that exhibits designated A-F have been filed on the docket.

The document consists of 10 numbered paragraphs, starting at ¶ 180. Id. at PageID.145. The paragraphs appear to be additional allegations made against Defendants and requests made from the Court. For instance, in one of them “Plaintiff seeks lawful control and redevelopment rights to the Crystal Lake peninsula.” Id. at PageID.144. It does not appear that this document is meant to be an objection to Judge Altman’s Report & Recommendation, nor can it reasonably be construed as such.

The Court finds that the document could be construed as an amendment to the complaint. However, Plaintiff did not request leave to amend her complaint, as is required. Fed. R. Civ. P. 15(a)(2). Thus, the Court directs the Clerk of the Court to STRIKE this ECF No. 20. This is a final order that closes this case. SO ORDERED. Dated: January 15, 2026 /s/Terrence G. Berg HON. TERRENCE G. BERG UNITED STATES DISTRICT JUDGE Certificate of Service I hereby certify that this Order was electronically filed, and the parties and/or counsel of record were served via electronic and/or ordinary mail.

Dated: January 15, 2026 By: /s/E. Vradenburg Case Manager