

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

Bobby J. Smith v. Unknown Goostrey

Smith v. Goostrey · No. 1:22-cv-753 · Decided February 20, 2026

OPINION

Goostrey

PER CURIAM.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BOBBY J. SMITH, #482352,)

Plaintiff,)) No. 1:22-cv-753 -v-)) Honorable Paul L. Maloney

UNKNOWN GOOSTREY, .,)

Defendants.))

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Bobby Smith, a prisoner under the control of the Michigan Department of Corrections, alleges the defendants violated his civil rights. Two defendants remain. Two claims also remain, one under federal law and one under state law. Defendants Goostrey and Johnson filed a motion for summary judgment (ECF No. 59). The Magistrate Judge issued a report recommending the court grant the motion and dismiss the federal claim (ECF No. 66). The Magistrate Judge recommends declining to exercise jurisdiction over the state law claim. Plaintiff, who does not have counsel to assist him, filed objections (ECF No. 67). The court will adopt the recommendations of the Magistrate Judge. After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Only those objections that are specific are entitled to a de novo review under the statute. , 806 F.2d 636, 637 (6th Cir. 1986) (per curiam). The Magistrate Judge concludes that Plaintiff cannot establish causation for his retaliation claim. Plaintiff does not address the Magistrate Judge's summary of the law concerning retaliation and the causation element. Most of Plaintiff's objections fail to address the facts outlined in the R&R concerning causation and, therefore, do not provide a reason for the court to reject the R&R. In paragraph 6, Plaintiff asserts he was not voluntarily staying in temporary segregation because if he had been told to leave and did not, he would have been issued a misconduct ticket. The court overrules the objection. The Magistrate Judge accurately summarized the evidence in the record.

The Security Classification Committee gave Plaintiff the option of staying in temporary segregation until his transfer. Plaintiff has not pointed to any evidence in the record to contradict this fact. As a result, Defendants have demonstrated that the reason Plaintiff remained in temporary custody was unrelated to the grievance. For these reasons, the court ADOPTS the report and recommendation (ECF No. 66). The court GRANTS Defendants' motion for summary judgment (ECF No. 59). The court dismisses Plaintiff's retaliation claim with prejudice and declines to exercise jurisdiction over Plaintiff's state law claim, which is dismissed without prejudice. IT IS SO ORDERED. Date: February 20, 2026 /s/ Paul L. Maloney Paul L. Maloney
United States District Judge