

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

Maurice Smith-Davis v. State of Michigan, et al.

Smith-Davis · No. 25-cv-12108 · Decided January 9, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopts the magistrate judge’s report and recommendation after no party filed objections. The court denies the defendants’ motion to dismiss the First Amended Complaint without prejudice, following the parties’ agreement that plaintiff would file a Second Amended Complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Matthew F. Leitman
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 9, 2026
DOCKET	25-cv-12108
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to dismiss Plaintiff's First Amended Complaint. After the parties agreed that Plaintiff would file a Second Amended Complaint, the magistrate judge recommended denying the pending motion to dismiss without prejudice. No party objected to the report and recommendation, and the district court adopted it and denied the motion without prejudice.
STANDARD OF REVIEW	When no party objects to a magistrate judge's report and recommendation, the district court is released from its duty to independently review the matter and may accept the recommendation without expressing a view on the merits.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motions to dismiss
- civil procedure
- employment law
- civil rights

PRACTICE AREAS

civil procedure

civil rights

employment law

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when no party filed objections.
2. Whether Defendants' pending motion to dismiss the First Amended Complaint should be denied without prejudice in light of the parties' agreement that Plaintiff would file a Second Amended Complaint.

HOLDINGS

1. Because no party filed objections, the district court was released from its duty to independently review the report and recommendation and could adopt its recommended disposition.
2. The court adopted the magistrate judge's recommended disposition and denied Defendants' motion to dismiss the First Amended Complaint without prejudice.
3. Failure to file objections to the report and recommendation waives any further right to appeal.

FACTUAL BACKGROUND

Maurice Smith-Davis alleged that Defendants violated his rights in connection with his employment with the Michigan Department of Corrections. Defendants moved to dismiss his First Amended Complaint. The parties subsequently agreed that Smith-Davis would file a Second Amended Complaint.

PROCEDURAL HISTORY

Plaintiff filed an action alleging violations of his rights related to his employment with the Michigan Department of Corrections. Defendants moved to dismiss the First Amended Complaint. Following a telephonic status conference, the parties agreed that Plaintiff would file a Second Amended Complaint, and the magistrate judge recommended denial of the pending motion to dismiss without prejudice. Because no party filed objections, the district court adopted the recommended disposition.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149 (1985)
- Ivey v. Wilson, 832 F.2d 950 (6th Cir. 1987)
- Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991)
- Smith v. Detroit Federation of Teachers Local 231, 829 F.2d 1370, 1373 (6th Cir. 1987)

OPINION

Smith-Davis

PER CURIAM.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MAURICE SMITH-DAVIS,

Plaintiff, Case No. 25-cv-12108 Hon. Matthew F. Leitman v. STATE OF MICHIGAN, et al.,
Defendants. _____/

ORDER (1) ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF No. 23) AND (2) DENYING WITHOUT
PREJUDICE DEFENDANTS' MOTION TO DISMISS (ECF No. 10)

In this action, Plaintiff Maurice Smith-Davis alleges that the Defendants violated his rights in connection with his employment with Defendant Michigan Department of Corrections. (See Am. Compl., ECF No. 8.) On August 7, 2025, Defendants moved to dismiss Smith-Davis' claims against them. (See Mot., ECF No. 10.) Following a telephonic status conference with the assigned Magistrate Judge, the parties agreed that Smith-Davis would file a Second Amended Complaint by January 6, 2026. Based on that agreement, on November 26, 2025, the Magistrate Judge issued a report and recommendation in which he recommended that the Court deny the Defendants' currently-pending motion to dismiss the First Amended Complaint without prejudice (the "R&R"). (See R&R, ECF No. 23.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wished to object to his recommendation, they needed to file specific objections with the Court within 14 days. (See *id.*, PageID.280.) The failure to object to an R&R releases the Court from its duty to independently review the matter. See *Thomas v. Arn*, 474 U.S. 140, 149 (1985). See also *Ivey v. Wilson*, 832 F.2d 950, (6th Cir. 1987) (where party fails to file "timely objections" to report and recommendation, court may accept that recommendation "without expressing any view on the merits of the magistrate's conclusions"). Likewise, the failure to file objections to an R&R waives any further right to appeal. See *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Because no party has filed an objection to the R&R, the Court ADOPTS the recommended disposition of the R&R and DENIES Defendants' motion to dismiss (ECF No. 10) WITHOUT PREJUDICE. IT IS SO ORDERED. s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: January 9, 2026 I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 9, 2026, by electronic means and/or ordinary mail.

s/Holly A. Ryan Case Manager

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