NITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY RYAN FENTON, Plaintiff,	)	
	)	No. 1:23-cv-1097
-v-	)	
	)	Honorable Paul L. Maloney
VIRGINIA LEE STORY, *et al.*, Defendants.	)	

ORDER DENYING OBJECTION

Plaintiff Fenton filed objections (ECF No. 62) to an order issued by the Magistrate Judge (ECF No. 55). The Court will deny the objections as untimely.

The Magistrate Judge issued the order on July 8, 2024. The order addressed several nondispositive motions, ECF Nos. 16, 17 and 36. Under Rule 72(a) of the Federal Rules of Civil Procedure, a party has 14 days from receipt to file objections to a magistrate judge's order resolving nondispositive motions. *See Duncan v. Minnesota Life Ins. Co.*, 845 F. App'x 392, 398 (6th Cir. 2021). Courts use a rebuttable presumption that a party receives documents through the mail five days after mailing. *See Witt v. Roadway Express*, 136 F.3d 1424, 1429-30 (10th Cir. 1998) (collecting circuit cases). The Clerk of Court received Plaintiff's objections on August 19, 2024.

The Court **DENIES** Plaintiff's objections. Plaintiff did not timely file these objections. Plaintiff does not indicate when he received the Order dated July 8, 2024. He filed his objections approximately six weeks after Clerk mailed the order, well outside of the two-week period. **IT IS SO ORDERED.**

Date: September 12, 2024

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge