

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

United States of America,

v.

Case No. 1:24-cr-116-MLB

Michael Mack, Jr.,

Defendant.

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**ORDER**

Defendant Michael Mack filed a Motion to Suppress evidence seized from his vehicle and statements he made during the warrantless search. (Dkt. 31.) After an evidentiary hearing and subsequent briefing, a Magistrate Judge issued a Report and Recommendation saying this Court should deny that motion. (Dkt. 55.) Defendant Mack filed no objections.

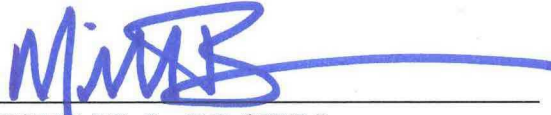
After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59; *Williams v. Wainwright*, 681 F.2d 732, 732 (11th Cir. 1982) (per curiam). A district judge "shall make a de novo determination

of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). The district judge should “give fresh consideration to those issues to which specific objection has been made by a party.” *Jeffrey S. v. State Bd. of Educ. of Ga.*, 896 F.2d 507, 512 (11th Cir. 1990) (citation omitted). “It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985). But many district courts still do conduct a limited review of unobjected-to portions of an R&R, typically for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee’s note (1983 Addition) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

Assuming review is necessary here, the Court sees no clear error in the Magistrate Judge’s conclusions that—even if the officers lacked probable cause to search his vehicle at the time—the facts introduced by the United States establish the inevitable discovery of the items in his vehicle and that, because the search was not unconstitutional, his

statements are not subject to suppression as fruit of the poisonous tree. The Court thus **ADOPTS** the Magistrate Judge's Report and Recommendation (Dkt. 55) and **DENIES** Defendant Mack's Motion to Suppress (Dkt. 31).

**SO ORDERED** this 13th day of January, 2026.



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MICHAEL L. BROWN  
UNITED STATES DISTRICT JUDGE