IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON PORTLAND DIVISION

BOBBY G. TODD,

No. 3:13-cv-01859-HU

Plaintiff,

OPINION AND ORDER

v.

STATE OF OREGON; WASHINGTON COUNTY; and CITY OF PORTLAND,

Defendants.

MOSMAN, J.,

On February 3, 2014, Magistrate Judge Hubel issued his Findings and Recommendation ("F&R") [5] in the above-captioned case, recommending that plaintiff's application to proceed *in forma pauperis* [1] be granted, plaintiff's motion for appointment of pro bono counsel [3] be denied, and this action be dismissed without service of process and with prejudice. No objections were filed.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge,

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but retains responsibility for making the final determination. The court is generally required to

make a de novo determination regarding those portions of the report or specified findings or

recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1). However, the court is

not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F&R to which no objections are addressed. See

Thomas v. Arn, 474 U.S. 140, 149 (1985); United States v. Reyna-Tapia, 328 F.3d 1114, 1121

(9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R

depends on whether or not objections have been filed, in either case, I am free to accept, reject,

or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Hubel's recommendation, and I ADOPT the F&R [5] as

my own opinion.

IT IS SO ORDERED.

DATED this 19th day of March, 2014.

/s/ Michael W. Mosman

MICHAEL W. MOSMAN

United States District Judge