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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Jessica Vaile,	)	No. CV 11-674-PHX-SMM (LOA)
Plaintiff,	)	
vs.	)	<b>MEMORANDUM OF DECISION AND ORDER</b>
National Credit Works, Inc.,	)	
Defendant.	)	

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Pending before the Court is Plaintiff’s Complaint alleging a violation of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §§ 1692 et seq. (Doc. 1.) This matter was assigned and litigated before Magistrate Judge Lawrence O. Anderson. (Doc. 6.) On March 26, 2012, Magistrate Judge Anderson filed a Report and Recommendation with this Court. (Doc. 26.) To date, no objections have been filed.

**STANDARD OF REVIEW**

When reviewing a Magistrate Judge’s Report and Recommendation, this Court must “make a de novo determination of those portions of the report . . . to which objection is made,” and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C); see also Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991) (citing Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983)). Failure to object to a Magistrate Judge’s recommendation relieves the Court of conducting de novo review of the Magistrate Judge’s factual findings; the Court then may decide the dispositive motion on the applicable law.

1 Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979) (citing Campbell v. United States  
2 Dist. Court, 501 F.2d 196 (9th Cir. 1974)).

3 By failing to object to a Report and Recommendation, a party waives its right to  
4 challenge the Magistrate Judge's factual findings, but not necessarily the Magistrate Judge's  
5 legal conclusions. Baxter, 923 F.2d at 1394; see also Turner v. Duncan, 158 F.3d 449, 455  
6 (9th Cir. 1998) (failure to object to a Magistrate Judge's legal conclusion "is a factor to be  
7 weighed in considering the propriety of finding waiver of an issue on appeal"); Martinez v.  
8 Ylst, 951 F.2d 1153, 1156 (9th Cir. 1991) (citing McCall v. Andrus, 628 F.2d 1185, 1187  
9 (9th Cir. 1980)).

### 10 DISCUSSION

11 Having reviewed the legal conclusions of the Report and Recommendation of the  
12 Magistrate Judge, and no objections having been made by Defendants thereto, the Court  
13 hereby incorporates and adopts the Magistrate Judge's Report and Recommendation.

### 14 CONCLUSION

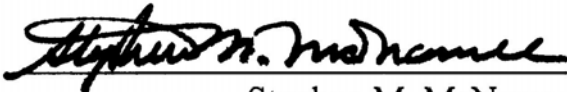
15 For the reasons set forth,

16 **IT IS HEREBY ORDERED** approving, incorporating, and adopting the Report and  
17 Recommendation of Magistrate Judge Lawrence O. Anderson. (Doc. 26.)

18 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Default Judgment against  
19 Defendant National Credit Works, Inc. is **GRANTED**. (Doc. 21.)

20 **IT IS FURTHER ORDERED** that the Clerk shall enter Judgment in favor of  
21 Plaintiff Jessica Vaile and against Defendant National Credit Works, Inc. in the amount of  
22 \$7,635 (\$1,000 + \$6,635 for attorney's fees, costs and non-taxable expenses). The Judgment  
23 shall earn interest at the annual federal rate from the date of entry of this Judgment until paid  
24 in full.

25 DATED this 30th day of April, 2012.

26 

27 Stephen M. McNamee  
28 Senior United States District Judge