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

Mike Paul Densmore,)	No. CV 12-2372-PHX-ROS (JFM)
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
City of Mesa, et al.,)	
)	
Defendants,)	

Pending before the Court is Magistrate Judge Metcalf’s Report and Recommendation as to Plaintiff’s Motion to Dismiss (Docs 42, 38). The Magistrate Judge recommended that (1) Plaintiff’s motion to dismiss be granted with respect to Plaintiff’s 42 U.S.C. § 1983 claim, and (2) this action be dismissed with prejudice (Doc. 42). The Magistrate Judge further advised the parties that they had fourteen days to file objections to the R&R (Doc. 42 at 3-4 (citing Federal Rule of Civil Procedure 72(b)). No objections were filed.

Because the parties did not file objections, the Court need not review any of the Magistrate Judge’s determinations on dispositive matters. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); United States v. Reyna-Tapia, 328 F.3d 1114, 112 (9th Cir. 2003); Thomas v. Arn, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”). The absence of a timely objection also means that error may not be assigned on appeal to any defect in the Magistrate Judge’s ruling on any non-dispositive matters. Fed. R. Civ. P. 72(a) (“A party may serve and file objections to the order within 14 days after being served with a copy [of the magistrate’s order]. A party may not assign as error a defect in the order not timely objected to.”);

1 Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174 (9th Cir. 1996); Philipps v. GMC, 289
2 F.3d 1117, 1120-21 (9th Cir. 2002).

3 Notwithstanding the absence of an objection, the Court has reviewed the R&R and
4 finds that it is well-taken because the record establishes Plaintiff's intent to permanently
5 dismiss this action. The Court will therefore accept the R&R, grant Plaintiff's motion to
6 dismiss, and dismiss this action with prejudice.

7 **IT IS ORDERED:**

8 (1) The Report and Recommendation of the Magistrate Judge (Doc. 42) is **accepted**.

9 (2) Plaintiff's Motion to Dismiss (Doc. 38) is **granted**.

10 (3) This action is dismissed with prejudice and the Clerk of Court must enter judgment
11 accordingly.

12 DATED this 6th day of January, 2014.

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Roslyn O. Silver
Senior United States District Judge