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

Derrick Myran Frankson,
Plaintiff,
v.
United States of America,
Defendant.

No. CV-14-01060-PHX-JAT
ORDER

Pending before the Court is the Report and Recommendation (“R&R”) from the Magistrate Judge, (Doc. 13), recommending that this case be dismissed. Plaintiff and Defendant have both filed motions to dismiss. (Doc. 9; Doc. 11).

Neither party filed objections to the R&R. Accordingly, the Court hereby accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to conduct “any review at all . . . of any issue that is not the subject of an objection” (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (“statute makes it clear that the district judge must review the magistrate judge’s findings and recommendations de novo if objection is made, but not otherwise” (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

Therefore,

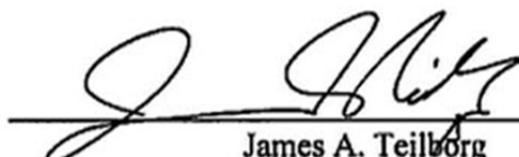
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IT IS ORDERED that the Magistrate Judge's Report and Recommendation, (Doc. 12), is **ADOPTED AND ACCEPTED**;

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss, (Doc. 9), and Plaintiff's Motion to Dismiss, (Doc. 11), are **GRANTED**;

IT IS FURTHER ORDERED that this matter is **DISMISSED WITH PREJUDICE**; the Clerk of the Court shall enter judgment accordingly.

Dated this 31st day of March, 2015.



James A. Teilborg
Senior United States District Judge