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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Armando Hernandez,

No. CV-14-01590-PHX-DLR

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Plaintiff,

ORDER

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v.

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Lonnie G. Stone, et al.,

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Defendants.

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Pending before the Court is United States Magistrate Judge Mark E. Aspey's Report and Recommendation ("R&R"). (Doc. 9.) The R&R recommends that the Court dismiss the action without prejudice for failure to prosecute. (Doc. 9 at 6.) The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. (*Id.* at 6 (citing Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

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The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *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."); Fed. R. Civ. P. 72(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."). The Court has nonetheless reviewed the R&R and finds that it is well-

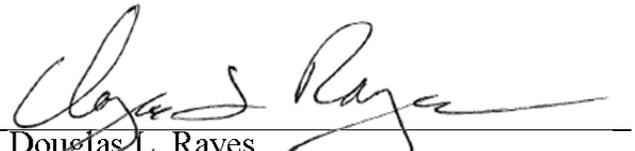
1 taken. The Court will accept the R&R and dismiss the action. *See* 28 U.S.C. § 636(b)(1)
2 (stating that the district court “may accept, reject, or modify, in whole or in part, the
3 findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The
4 district judge may accept, reject, or modify the recommended disposition; receive further
5 evidence; or return the matter to the magistrate judge with instructions.”).

6 **IT IS ORDERED** that Magistrate Judge Aspey’s R&R (Doc. 9) is **accepted**.

7 **IT IS FURTHER ORDERED** that Plaintiff’s Complaint (Doc. 1) is **dismissed**
8 **without prejudice**.

9 **IT IS FURTHER ORDERED** that the Clerk of Court shall **terminate** this action.

10 Dated this 9th day of March, 2015.

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15 Douglas L. Rayes
16 United States District Judge
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