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

Kevin Sean Romero,

Plaintiff,

v.

Corizon Health, et al.,

Defendants.

No. CV-15-00285-PHX-DJH (BSB)

**ORDER**

This matter is before the Court on the Report and Recommendation ("R&R") issued by United States Magistrate Judge Bridget S. Bade on December 13, 2017. (Doc. 139). In the R&R, Judge Bade screened the Third Amended Complaint (Doc. 54) and recommends that Plaintiff's claims against Defendants Metcalf and Garrison be dismissed without prejudice, because the service deadline had passed and Plaintiff had neither served these Defendants or obtained waivers of service from them. Additionally, on December 5, 2017, Plaintiff filed a response with the Court stating that he "has no objection to the dismissal of these two (2) Defendants." (Doc. 133).

Judge Bade advised the parties that they had fourteen days to file objections and that the failure to file timely objections "may result in the acceptance of the Report and Recommendation by the District Court without further review." (Doc. 139 at 3)(citing *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). No objections have been filed and the time to do so has expired. Absent any objections, the Court is not required to review the findings and recommendations in the R&R. *See Thomas v. Arn*,

474 U.S. 140, 149 (1989) (The relevant provision of the Federal Magistrates Act, 28 U.S.C. § 636(b)(1)(C), "does not on its face require any review at all . . . of any issue that is not the subject of an objection."); *Reyna-Tapia*, 328 F.3d at 1121 (same); 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.").

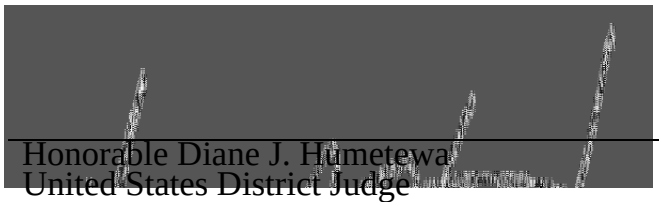
Nonetheless, the Court has reviewed the R&R and agrees with its findings and recommendations. The Court will, therefore, accept the R&R and adopt Judge Bade's recommendations. *See* 28 U.S.C. § 636(b)(1)(C) ("A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge."); Fed.R.Civ.P. 72(b)(3) (same).

Accordingly,

**IT IS ORDERED** that Magistrate Judge Bade's R&R (Doc. 139) is **accepted** and **adopted** as the order of this Court.

**IT IS FURTHER ORDERED** that Defendants Metcalf and Garrison are **DISMISSED WITHOUT PREJUDICE**.

**Dated** this 22nd day of January, 2018.



Honorable Diane J. Humetewa
United States District Judge