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

Darrell Sheets,

Plaintiff,

v.

Corizon Health Incorporated, et al.,

Defendants.

No. CV-15-00499-PHX-GMS

ORDER

Pending before the Court are Plaintiff's Civil Rights Complaint and United States Magistrate Judge James F. Metcalf's Report and Recommendation ("R&R"). Docs. 1, 20. The R&R recommends that the Court dismiss the Complaint without prejudice. Doc. 20 at 3. 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 3 (citing Fed. R. Civ. P. 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

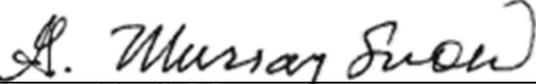
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); 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-taken. The Court will accept the R&R and dismiss the Complaint without prejudice. *See*

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

6 **IT IS ORDERED:**

- 7 1. Magistrate Judge Metcalf’s R&R (Doc. 20) is **accepted**.
8 2. Plaintiff’s Civil Rights Complaint (Doc. 1) against Defendant Pratt
9 **dismissed without prejudice**.
10 3. The Clerk of Court shall **terminate** Defendant Pratt from this action.

11 Dated this 17th day of November, 2015.

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Honorable G. Murray Snow
14 United States District Judge