

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

Gerald Corven Cope, III,
Plaintiff,
v.
Unknown Chelmagan,
Defendant.

No. CV-16-04565-PHX-ROS

ORDER

Unknown Chelmagan, Defenda

On June 2, 2017, Magistrate Judge Bridget S. Bade issued a Report and Recommendation (“R&R”) recommending the Court dismiss this matter without prejudice for failure to comply with Court orders pursuant to Fed. R. Civ. P. 41(b). (Doc. 10.) No objections were filed.

A district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). Where any party has filed timely objections to the R&R, the district court’s review of the part objected to must be *de novo*. *Id.* If, however, no objections are filed, the district court need not conduct such a review. *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003).

Accordingly,

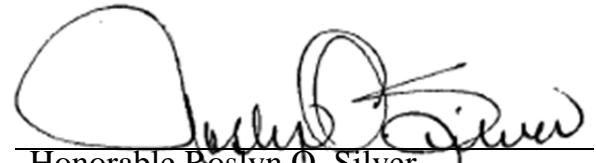
IT IS ORDERED the Report and Recommendation (Doc. 10) is **ADOPTED** and the matter is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED a Certificate of Appealability and leave to proceed

1 in forma pauperis on appeal are **DENIED** because the dismissal is justified by a plain
2 procedural bar and jurists of reason would not find the procedural ruling debatable.

3 Dated this 25th day of August, 2017.

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Honorable Roslyn O. Silver
Senior United States District Judge