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

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Jerry Walker,

No. CV-15-08288-PCT-JZB

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Plaintiff,

ORDER

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v.

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Emil Botezatu, et al.,

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Defendants.

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Pending before the Court are Defendant Emil Botezatu's Motion to Dismiss (Doc. 17) and United States Magistrate Judge John Z. Boyle's Report and Recommendation (Doc. 36) ("R&R"), which recommends granting the Motion and dismiss the Complaint for lack of jurisdiction. (Doc. 36 at 7.) 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 8 (citing 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(b) and 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

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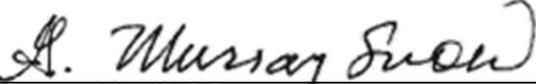
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The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of 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 grants the Motion to Dismiss the Complaint
2 for lack of jurisdiction. *See* 28 U.S.C. § 636(b)(1) (stating that the district court “may
3 accept, reject, or modify, in whole or in part, the findings or recommendations made by
4 the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject, or
5 modify the recommended disposition; receive further evidence; or return the matter to the
6 magistrate judge with instructions.”).

7 **IT IS THEREFORE ORDERED** that Judge Boyle’s R&R (Doc. 36) is
8 **ACCEPTED.** Defendant’s Motion to Dismiss for Lack of Jurisdiction (Doc. 17) is
9 granted and the remainder of the Motion is denied as moot. The Clerk of Court is
10 directed to terminate this action and enter judgement accordingly.

11 Dated this 23rd day of February, 2017.

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14 Honorable G. Murray Snow
United States District Judge