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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Eric Levanter DeMillard, et al.,

No. CV-21-08079-PCT-DMF

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Plaintiffs,

ORDER

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v.

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State of Arizona, et al.,

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Defendants.

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Before the Court is the Report and Recommendation filed by Magistrate Judge Deborah M. Fine, on June 30, 2021. (Doc. 19.) Having reviewed it, the Court will incorporate and adopt the Magistrate Judge's Report and Recommendation and dismiss this action without prejudice.

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STANDARD OF REVIEW

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The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). When a party files a timely objection to a report and recommendation, the Court reviews those portions of the report and recommendation that have been “properly objected to” de novo. Fed. R. Civ. P. 72(b). A proper objection requires specific written objections to the findings and recommendations in the report and recommendation. See United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003); 28 U.S.C. § 636(b)(1). The Court need not conduct any review of portions to which no specific objection has been made. See Reyna-Tapia, 328 F.3d at

1 1121.

2 **DISCUSSION**

3 Plaintiff has not filed any formal objections to the Report and Recommendation.
4 However, on July 2, 2021, Plaintiff filed a Demand for Immediate Summary Legal
5 Judgment by the Two Federal Plaintiff Against the Ten Federal Defendants. (Doc. 20.)
6 The motion was subsequently stricken by Magistrate Judge Fine for failure to comply
7 with the Court's previous order and for failure to comply with the applicable rules for
8 moving for summary judgment. (Doc. 21.) Plaintiff also filed a Notification of Homeless
9 Status on July 14, 2021, and a Motion to Remand to State Court on July 15, 2021. (Docs.
10 22, 24.)

11 As Plaintiff is proceeding pro se, in the interest of giving full consideration to
12 Plaintiff's case, the Court has reviewed the Demand for Immediate Summary Legal
13 Judgment by the Two Federal Plaintiff Against the Ten Federal Defendants, the
14 Notification of Homeless Status, and the Motion to Remand to State Court for any
15 objections Plaintiff may have against the Report and Recommendation. (Docs. 20, 22,
16 24.) However, the Court finds the documents largely incomprehensible and without
17 reference to the Report and Recommendation or any other filing or action by this Court.
18 Thus, the Court finds that Plaintiff has failed to file any specific objections to the Report
19 and Recommendation and the Court will not conduct de novo review.

20 Having reviewed the Report and Recommendation of the Magistrate Judge, and no
21 specific objections having been made, the Court finds that the reasoning of the Magistrate
22 Judge is well founded and hereby incorporates and adopts the Magistrate Judge's Report
23 and Recommendation.

24 **CONCLUSION**

25 Accordingly, for the reasons set forth,

26 **IT IS HEREBY ORDERED** that the Court adopts the Report and
27 Recommendation of the Magistrate Judge. (Doc. 19.)

28 **IT IS FURTHER ORDER** denying as moot Plaintiff's Motion to Remand to

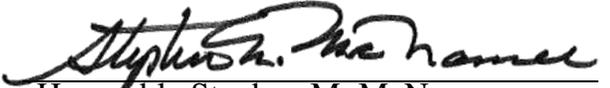
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State Court. (Doc. 24.)

IT IS FURTHER ORDERED dismissing the Complaint (Doc. 1) without prejudice and without leave to amend.

IT IS FURTHER ORDERED directing the Clerk of Court to terminate this action.

Dated this 19th day of July, 2021.


Honorable Stephen M. McNamee
Senior United States District Judge