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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Amber Lynn Williams,)	No. CV 13-76-TUC-RCC
Plaintiff,)	ORDER
vs.)	
Social Security Administration,)	
Defendant.)	

Pending before the Court is Plaintiff’s Complaint against Defendant Social Security Administration (“SSA”), seeking a review of the Appeals Council for the SSA decision denying Plaintiff’s Request for Review of the Administrative Law Judge’s unfavorable decision. Also before the Court is Magistrate Judge Bruce Macdonald’s Report and Recommendation (R&R) (Doc. 4). The Court accepts and adopts the R&R (Doc. 10) as the findings of fact and conclusions of law of this Court and will dismiss this case without prejudice.

Plaintiff filed a Complaint on February 4, 2013. (Doc. 1) On February 15, 2013, the Court informed Plaintiff that Plaintiff had named the wrong defendant in the Complaint. (Doc. 6) The Court gave Plaintiff leave to amend the Complaint. Plaintiff did not file an amended complaint within the allotted time. Plaintiff also failed to respond to the Court’s OSC (Doc. 8) and failed to appear at the Court’s scheduled show cause hearing (Doc. 9). Magistrate Judge Macdonald issued a R&R recommending that Plaintiff’s case be dismissed

1 without prejudice. (Doc. 10) Plaintiff did not file a response to the R&R within the allotted
2 time.

3 The duties of the district court in connection with a R & R are set forth in Rule 72 of
4 the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). The district court may
5 “accept, reject, or modify the recommended disposition; receive further evidence; or return
6 the matter to the magistrate judge with instructions. FED.R.CIV.P. 72(b)(3); 28 U.S.C. §
7 636(b)(1).

8 Where the parties object to a R & R, “[a] judge of the [district] court shall make a *de*
9 *novo* determination of those portions of the [R & R] to which objection is made.” 28 U.S.C.
10 § 636(b)(1); *see Thomas v. Arn*, 474 U.S. 140, 149-50, 106 S.Ct. 466, 88 L.Ed.2d 435 (1985).
11 When no objection is filed, the district court need not review the R & R *de novo*. *Wang v.*
12 *Masaitis*, 416 F.3d 992, 1000 n. 13 (9th Cir.2005); *United States v. Reyna-Tapia*, 328 F.3d
13 1114, 1121-22 (9th Cir.2003) (en banc). Therefore to the extent that no objection has been
14 made, arguments to the contrary have been waived. *McCall v. Andrus*, 628 F.2d 1185, 1187
15 (9th Cir.1980) (failure to object to Magistrate's report waives right to do so on appeal); *see*
16 *also*, Advisory Committee Notes to Fed.R.Civ.P. 72 (citing *Campbell v. United States Dist.*
17 *Court*, 501 F.2d 196, 206 (9th Cir.1974) (when no timely objection is filed, the court need
18 only satisfy itself that there is no clear error on the face of the record in order to accept the
19 recommendation).

20 The Court will not disturb a Magistrate Judge's Order unless his factual findings are
21 clearly erroneous or his legal conclusions are contrary to law. 28 U.S.C. § 636(b)(1)(A).
22 “[T]he magistrate judge's decision ... is entitled to great deference by the district court.”
23 *United States v. Abonce-Barrera*, 257 F.3d 959, 969 (9th Cir.2001). A failure to raise an
24 objection waives all objections to the magistrate judge’s findings of fact. *Turner v. Duncan*,
25 158 F.3d 449, 455 (9th Cir. 1998). A failure to object to a Magistrate Judge’s conclusion “is
26 a factor to be weighed in considering the propriety of finding waiver of an issue on appeal.”
27 *Id.* (internal citations omitted).

28 Plaintiff has filed no objections to the R&R, which relieves the Court of its obligation

1 to review. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.2003); *Thomas*
2 *v. Arn*, 474 U.S. 140, 149, 106 S.Ct. 466, 88 L.Ed.2d 435 (1985) (“[Section 636(b)(1)] does
3 not ... require any review at all ... of any issue that is not the subject of an objection.”);
4 Fed.R.Civ.P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate
5 judge's disposition that has been properly objected to.”). This Court considers the R&R to
6 be thorough and well-reasoned. After a thorough and de novo review of the record, the Court
7 will ADOPT the R&R of Magistrate Judge Macdonald (Doc. 10).

8 Accordingly,

9 **IT IS HEREBY ORDERED** that Magistrate Judge Macdonald Report and
10 Recommendation (Doc. 10) is hereby **ACCEPTED** and **ADOPTED** as the findings of fact
11 and conclusions of law by this Court.

12 **IT IS FURTHER ORDERED** this action is **dismissed without prejudice**, and the
13 Clerk shall enter judgment and close this case.

14 DATED this 28th day of June, 2013.

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18 **Raner C. Collins**
19 **United States District Judge**
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