

1 fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object to a
2 Magistrate Judge’s conclusion “is a factor to be weighed in considering the propriety of
3 finding waiver of an issue on appeal.” *Id.* (internal citations omitted).

4 Here, the parties have not objected to the R & R. This Court considers the R & R
5 to be thorough and well-reasoned. Accordingly,

6 **IT IS HEREBY ORDERED** that Magistrate Judge Macdonald’s Report and
7 Recommendation (Doc. 39) is **ACCEPTED** and **ADOPTED** as the findings of fact and
8 conclusions of law by this Court.

9 **IT IS FURTHER ORDERED** that Petitioner’s Motion for Default Judgment
10 (Doc. 33) is **DENIED**. This matter shall remain with Magistrate Judge Macdonald for a
11 Report and Recommendation on pending dispositive motions.

12 Dated this 4th day of March, 2015.

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16 Raner C. Collins
17 Chief United States District Judge
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