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

Benjamin Mendoza,
Petitioner,
v.
Louis Winn,
Respondent.

No. CV-14-02345-TUC-RM
ORDER

Pending before the Court is a Report and Recommendation issued by Magistrate Judge Eric J. Markovitch (Doc. 14). In his Report and Recommendation, Judge Markovitch recommends that this Court dismiss this action for, inter alia, failure to prosecute. No objections were filed.

A district judge must “make a de novo determination of those portions” of a magistrate judge’s “report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §636(b)(1)(C). The advisory committee notes to Rule 72(b) of the Federal Rules of Civil Procedure state that, “[w]hen no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation” of a magistrate judge. *See also Prior v. Ryan*, 2012 WL 1344286, *1 (D. Ariz. Apr. 8, 2012) (reviewing for clear error unobjected-to portions of Report and Recommendation); *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999) (“If no objection or only partial objection is made, the district judge reviews those unobjected portions for clear error.”).

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Reviewing for clear error, this Court finds no such error in Judge Markovitch's Report and Recommendation. Accordingly,

IT IS HEREBY ORDERED as follows:

1. Magistrate Judge Eric J. Markovitch's Report and Recommendation (Doc. 14) is **accepted and adopted**.
2. Petitioner's Petition (Doc. 1) is **denied** and this action is **dismissed**.
3. The Clerk of Court is directed to close this case.

Dated this 15th day of April, 2016.



Honorable Rosemary Marquez
United States District Judge