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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Treestump Woodcraft LLC, et al.,

No. CV-14-02386-TUC-RM

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Plaintiffs,

ORDER

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v.

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South Tucson, City of, et al.,

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Defendants.

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On January 26, 2016, Magistrate Judge Bruce G. Macdonald issued a Report and Recommendation (Doc. 102) recommending that this Court grant Defendants' Motions for Summary Judgment (Docs. 72, 74), deny Defendants Yolanda Loya, Joseph Mason, and Fernando Loya's request for attorneys' fees, and remand this case to the Pima County Superior Court. No objections to the Report and Recommendation were filed.

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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). The advisory committee's 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. Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition. *See also Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999) ("If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error."); *Prior v. Ryan*,

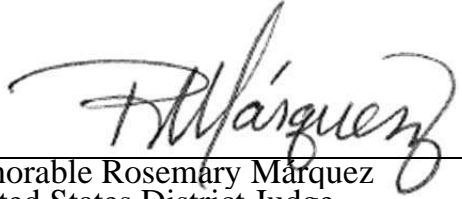
1 CV 10-225-TUC-RCC, 2012 WL 1344286, at *1 (D. Ariz. Apr. 18, 2012) (reviewing for
2 clear error unobjected-to portions of Report and Recommendation).

3 The Court has reviewed Judge Macdonald's Report and Recommendation, the
4 parties' briefs, and the record. The Court finds no error in Judge Macdonald's Report
5 and Recommendation. Accordingly,

6 **IT IS ORDERED:**

- 7 1. The Report and Recommendation (Doc. 102) is **accepted and adopted in**
8 **full.**
- 9 2. The Motion for Summary Judgment (Doc. 72) filed by Defendant City of
10 South Tucson and its officers is **granted.**
- 11 3. The Motion for Partial Summary Judgment (Doc. 74) filed by Defendants
12 Yolanda Loya, Joseph Mason, and Fernando Loya is **granted.**
- 13 4. Defendants Yolanda Loya, Joseph Mason, and Fernando Loya's request for
14 attorneys' fees is **denied.**
- 15 5. This case is **remanded** to the Pima County Superior Court (Cause #
16 C20144790).
- 17 6. The Clerk of Court is directed to mail a certified copy of this Order to the
18 Clerk of the Pima County Superior Court.

19 **Dated this 16th day of February, 2016.**

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24 Honorable Rosemary Marquez
25 United States District Judge
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