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

Johnathon Cross,
Plaintiff,
v.
Empressive Candles LLC, et al.,
Defendants.

No. CV-20-00423-TUC-RM (MSA)
ORDER

On July 5, 2022, Magistrate Judge Maria S. Aguilera issued a Report and Recommendation (Doc. 80) recommending that this Court grant Defendant’s Motion for Summary Judgment (Doc. 75) on Plaintiff’s claim that Defendant is jointly and severally liable and deny Defendant’s Motion for Summary Judgment on Plaintiff’s strict-liability claim. No objections to the Report and Recommendation 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). 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 Magistrate Judge Aguilera's Report and
4 Recommendation, the parties' briefs, and the record. The Court finds no error in
5 Magistrate Judge Aguilera's Report and Recommendation.

6 Accordingly,

7 **IT IS ORDERED** that the Report and Recommendation (Doc. 80) is **accepted**
8 **and adopted in full.**

9 **IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment
10 (Doc. 75) is **granted in part as denied in part** as follows: the Motion is **granted** as to
11 Plaintiff's claim that Defendant is jointly and severally liable and **denied** as to Plaintiff's
12 strict-liability claim.

13 Dated this 29th day of July, 2022.

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Honorable Rosemary Márquez
United States District Judge