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4 UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
6 OAKLAND DIVISION

7 TINA TILLMAN,

8 Plaintiff,

9 vs.

10 DARRYL ARCHIE,

11 Defendant.

Case No: C 13-00359 SBA

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Docket 10

12
13 On March 25, 2013, Magistrate Judge Jacqueline Scott Corley ("the Magistrate")
14 issued a Report and Recommendation in which she recommends that this action be
15 dismissed for lack of subject matter jurisdiction. Dkt. 10. The Report and
16 Recommendation states that "[a]s Plaintiff has neither consented to nor declined the
17 undersigned magistrate judge's jurisdiction, the Clerk of the Court is ordered to reassign
18 this action to a district court judge." Id. On March 26, 2013, this case was reassigned to
19 the undersigned. Dkt. 11.

20 Any objections to the Magistrate's Report and Recommendation were required to be
21 filed within fourteen days of service thereof. Fed.R.Civ.P. 72(b)(2); 28 U.S.C. §
22 636(b)(1)(C). The district court must "make a de novo determination of those portions of
23 the report or specified proposed findings or recommendations to which objection is made,"
24 and "may accept, reject, or modify, in whole or in part, the findings or recommendations
25 made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

26 The deadline to object to the Report and Recommendation was April 8, 2013. See
27 Fed.R.Civ.P. 6(a)(1); Fed.R.Civ.P. 72(b)(2); 28 U.S.C. § 636(b)(1)(C). To date, no
28 objections have been filed. In the absence of a timely objection, the Court "need only

1 satisfy itself that there is no clear error on the face of the record in order to accept the
2 recommendation." Fed.R.Civ.P. 72, Advisory Committee Notes (1983) (citing Campbell v.
3 U.S. Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974)); see also United States v. Reyna-Tapia,
4 328 F.3d 1114, 1121 (9th Cir. 2003) ("The statute [28 U.S.C. § 636(b)(1)(C)] makes it clear
5 that the district judge must review the magistrate judge's findings and recommendations de
6 novo *if [an] objection is made*, but not otherwise.") (en banc). The Court has reviewed the
7 record on its face and finds no clear error. Accordingly,

8 IT IS HEREBY ORDERED THAT the Magistrate's Report and Recommendation
9 (Dkt. 10) is ACCEPTED and shall become the Order of this Court. This action is
10 DISMISSED for lack of subject matter jurisdiction. The Clerk shall close the file and
11 terminate any pending matters.

12 IT IS SO ORDERED.

13 Dated: 4/22/13



SAUNDRA BROWN ARMSTRONG
United States District Judge

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1 UNITED STATES DISTRICT COURT
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3 NORTHERN DISTRICT OF CALIFORNIA

4 TINA TILLMAN et al,

5 Plaintiff,

6 v.

7 DARRYL ARCHIE et al,

8 Defendant.

9 _____/

10

Case Number: CV13-00359 SBA

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CERTIFICATE OF SERVICE

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14 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
15 Court, Northern District of California.

16

17 That on April 22, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said
18 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
19 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
20 located in the Clerk's office.

18

19

20 Tina Tillman
21 1502 Bissell Ave
22 Richmond, CA 94801

23 Dated: April 22, 2013

Richard W. Wieking, Clerk

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By: Lisa Clark, Deputy Clerk-

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