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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
KAREN DUNFORD,  
Defendant.

Civil No. 09cv2578 L(WVG)

**ORDER ADOPTING THE REPORT  
AND RECOMMENDATION AND  
GRANTING APPLICATION FOR  
WRIT OF GARNISHMENT [doc.  
#16]**

Plaintiff filed a complaint for money damages alleging defendant’s failure to pay her outstanding U.S. Department of Education Student Loan debt. Judgment was entered against the defendant on March 24, 2010. Plaintiff filed an Application for Writ of Continuing Garnishment against defendant requesting the Court’s permission to garnish 25 percent of her wages.

The matter was referred to the magistrate judge for consideration of the Application and the preparation of a Report and Recommendation ("Report") under 28 U.S.C. § 636(b)(1)(B) and Civil Local Rule 72.3. The garnishment hearing was held on May 30, 2012. After reviewing the applicable documents and the arguments of the parties at the garnishment hearing, the magistrate judge entered a Report which recommended that plaintiff’s application be granted.

In reviewing a magistrate judge’s report and recommendation, the district court “shall make a *de novo* determination of those portions of the report . . . to which objection is made,” and “may accept, reject, or modify, in whole or in part, the findings or recommendations made


1 by the magistrate judge.” 28 U.S.C. § 636(b)(1). Under this statute, “the district judge must  
2 review the magistrate judge’s findings and recommendations *de novo if objection is made, but*  
3 *not otherwise.*” *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*)  
4 (emphasis in original).

5 Here, defendant has neither filed objections to the Report nor sought additional time in  
6 which to file objections. Because the Report is unopposed, and the magistrate judge has carefully  
7 and fully considered the arguments of the parties, the Court will adopt the Report.

8 Based on the foregoing, the Report and Recommendation is **ADOPTED** in its entirety;  
9 and the Petition for Continuing Garnishment is **GRANTED**.

10 **IT IS SO ORDERED.**

11 DATED: July 19, 2012

12   
13 M. James Lorenz  
United States District Court Judge

14 COPY TO:

15 HON. WILLIAM V. GALLO  
16 UNITED STATES MAGISTRATE JUDGE

17 ALL PARTIES/COUNSEL  
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