

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

DEBORAH J. DOLLAR DOUGLAS, et al.,	)	
Plaintiffs,	)	Case No. CV08-159-S-EJL
vs.	)	ORDER ADOPTING REPORT
DRY CREEK RANCHERIA BAND	)	AND RECOMMENDATION
OF POMO INDIANS, et al.,	)	
Defendants.	)	

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On October 3, 2008, United States Magistrate Judge Larry M. Boyle issued a Report and Recommendation, recommending that Plaintiffs' initial motion for default judgment be deemed moot and their second motion for default judgment be denied. Any party may challenge a Magistrate Judge's proposed recommendation regarding by filing written objections within ten days after being served with a copy of the magistrate's Report and Recommendation. 28 U.S.C. § 636(b)(1)(C). The district court must then "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* The district court may accept, reject, or modify in whole or in part, the findings and recommendations made by the magistrate. *Id.*; see also Fed. R. Civ. P. 72(b). Neither side has filed objections to the report and recommendation. The Court has reviewed the report and recommendation, the parties' motions, briefing, and the entire record in these matters. Based upon this review, the Court finds the report and recommendation has correctly decided the motions.

## ORDER

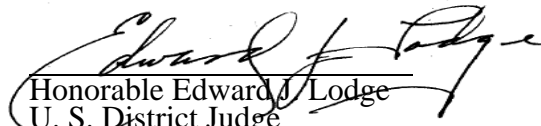
Having conducted a *de novo* review of the Report and Recommendation, this Court finds that Magistrate Judge Boyle's Report and Recommendation is well founded in law and consistent with this Court's own view of the evidence in the record. Acting on the recommendation of Magistrate Judge Boyle, and this Court being fully advised in the premises, **IT IS HEREBY ORDERED** that the Report and Recommendation entered on October 3, 2008, (Docket No. 41), should be, and is hereby, **INCORPORATED** by reference and **ADOPTED** in its entirety.

**THEREFORE, IT IS HEREBY ORDERED** as follows:

- 1) Plaintiffs' Motion for Default Judgment (Dkt. No. 20) is **MOOT**.
- 2) Plaintiffs' Motion for Default Judgment (Dkt. No. 35) is **DENIED**.

DATED: **October 31, 2008**



  
Honorable Edward J. Lodge  
U. S. District Judge