

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

THOMAS T. MITCHAM, an individual,

Plaintiff,

v.

CWB MORTGAGE VENTURES, LLC
DBA IDAHOWIDE MORTGAGE, a
Delaware limited liability corporation;
FIDELITY NATION TITLE
INSURANCE COMPANY, a California
corporation; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC., a Delaware
corporation; BANK OF AMERICA,
N.A., a banking association;
RECONTRUST COMPANY, N.A., a
wholly owned subsidiary of Bank of
America, N.A.; and DOES 1 through
100, Inclusive,

Defendants.

Case No. 1:11-cv-00259-BLW-LMB

ORDER

On March 20, 2012, United States Magistrate Judge Boyle issued a Report and Recommendation, recommending that Defendants' Motion to Dismiss be granted. (Dkt. 8). Any party may challenge a magistrate judge's proposed recommendation by filing written objections within fourteen days after being served with a copy of the Magistrate Judges's Report and Recommendation. *See* 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 Judge. *Id.*; *see also* Fed. R. Civ. P. 72(b).

No objections to the report and recommendation were filed and the time for doing so has passed. The Court has reviewed the Report and Recommendation, the parties’ briefing on the Motion, and the entire record in this matter. Based upon this review, the Court finds the Report and Recommendation has correctly decided the Motion.

ORDER

IT IS ORDERED:

1. Having conducted a *de novo* review of the Report and Recommendation, the Court finds that Magistrate Judge Boyle’s Report and Recommendation is well founded in law and consistent with the Court’s own view of the evidence in the record. Therefore, 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 March 20, 2012, (Dkt. 18), shall be, and is hereby, **INCORPORATED** by reference and **ADOPTED** in its entirety.
2. Defendants’ Motion to Dismiss (Dkt. 8) is **GRANTED**, and this case shall be dismissed in its entirety.
3. The Court will enter a separate judgment in accordance with Fed. R. Civ. P.

58.



DATED: **May 1, 2012**

B. Lynn Winmill

B. LYNN WINMILL

Chief U.S. District Court Judge