

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

CEDAR RAPIDS LODGE & SUITES,
LLC et al.,

Plaintiffs,

vs.

JFS DEVELOPMENT, INC., f/k/a JCS
DEVELOPMENT, INC., et al.,

Defendants.

No. 09-CV-175-LRR

ORDER

The matters before the court are Defendant John F. Seibert’s pro se “Motion for Sanctions Against Plaintiffs’ Attorney Robert H. Miller for Improper Conduct of an Officer of the Court” (“Motion”) (docket no. 166) and United States Magistrate Judge Jon S. Scoles’s Report and Recommendation (docket no. 183) regarding the Motion. On October 4, 2011, Seibert filed the Motion, and on November 7, 2011, Judge Scoles filed the Report and Recommendation. In the Report and Recommendation, Judge Scoles recommends that the court deny the Motion. The Report and Recommendation states that “within fourteen (14) days after being served with a copy of this Report and Recommendation, any party may serve and file written objections with the district court.” Report and Recommendation at 5.

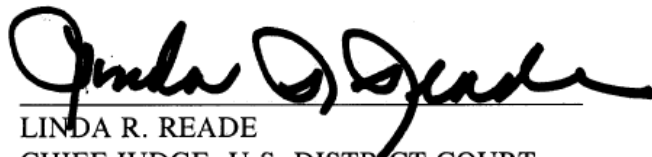
The time to object to the Report and Recommendation has expired. LR 72.1 (“A party who objects to or seeks review or reconsideration of . . . a magistrate judge’s report and recommendation must file specific, written objections . . . within 14 days after service of the . . . report and recommendation.”); Fed. R. Civ. P. 72(b)(2) (“Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.”). Seibert has

not filed any objections to the Report and Recommendation and has therefore waived his right to a de novo review of the Report and Recommendation. *See Griffini v. Mitchell*, 31 F.3d 690, 692 (8th Cir. 1994) (“Appellant’s failure to file any objections waived his right to de novo review by the district court of any portion of the report and recommendation of the magistrate judge as well as his right to appeal from the findings of fact contained therein.”); *see also* Fed. R. Civ. P. 72 advisory committee’s note (“When 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.”).

The court finds no clear error in the Report and Recommendation. Seibert failed to file a brief with the Motion and offers no evidence to support his claims. Accordingly, the court **ADOPTS** the Report and Recommendation (docket no. 183). Defendant Seibert’s Motion for Sanctions (docket no. 166) is **DENIED**.

IT IS SO ORDERED.

DATED this 30th day of November, 2011.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA