

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBBIN STEWART,

Plaintiff,

vs.

LISA J. HOGGINS,

Defendant.

4:19-CV-3115

MEMORANDUM AND ORDER

This matter is before the Court on the Magistrate Judge's findings and recommendation ([filing 22](#)) recommending that the defendant's motion to dismiss ([filing 21](#)) be granted. There are no objections to the findings and recommendation.

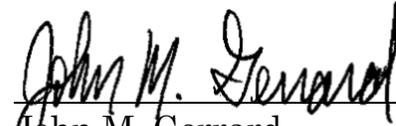
28 U.S.C. § 636(b)(1) provides for de novo review only when a party objected to the magistrate's findings or recommendations. See *Peretz v. United States*, 501 U.S. 923, 939 (1991). The failure to file an objection eliminates not only the need for de novo review, but *any* review by the Court. *Thomas v. Arn*, 474 U.S. 140, 149-51 (1985); *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th Cir. 2009), see *Daley v. Marriott Int'l, Inc.*, 415 F.3d 889, 893 (8th Cir. 2005). Accordingly,

1. The Magistrate Judge's findings and recommendation ([filing 22](#)) are adopted.
2. The defendant's motion to dismiss ([filing 21](#)) is granted.
3. The plaintiff's complaint is dismissed.

4. A separate judgment will be entered.

Dated this 7th day of January, 2021.

BY THE COURT:

A handwritten signature in black ink that reads "John M. Gerrard". The signature is written in a cursive style and is positioned above a horizontal line.

John M. Gerrard
Chief United States District Judge