

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JDR INDUSTRIES, INC.,

Plaintiff,

vs.

EDWIN K. MCDOWELL, et al.,

Defendants.

8:14-CV-284

MEMORANDUM AND ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation (filing 128) recommending that the Court file an entry of default against the defendant LaGrange Supply Co., L.L.C.

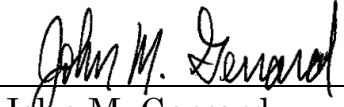
The defendant has not objected to the Magistrate Judge's recommendation. [Title 28 U.S.C. § 636\(b\)\(1\)](#) provides for de novo review of a Magistrate Judge's findings or recommendations only when a party objects to them. *Peretz v. United States*, 501 U.S. 923 (1991). Failure to object to a finding of fact in a Magistrate Judge's recommendation may be construed as a waiver of the right to object from the district court's order adopting the recommendation of the finding of fact. [NECivR 72.2\(f\)](#). And 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 (1985); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609 (8th Cir. 2009); *see also United States v. Meyer*, 439 F.3d 855, 858-59 (8th Cir. 2006). Accordingly, the Court will adopt the Magistrate Judge's recommendation that a default be entered against the defendant LaGrange Supply Co., L.L.C.

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation (filing 128) are adopted.
2. The Clerk of Court is directed to enter a default against defendant LaGrange Supply Co., L.L.C.

Dated this 12th day of April, 2016.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge