

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEENA HEISLER,

Plaintiff,

vs.

FLOWERAMA, et al.,

Defendants.

8:16-CV-527

ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation ([filing 9](#)), recommending that the plaintiff's complaint be dismissed for failure of service and want of prosecution. The plaintiff has not objected to the Magistrate Judge's Findings and Recommendation, which expressly informed her that "failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of this recommendation." [Filing 9](#).

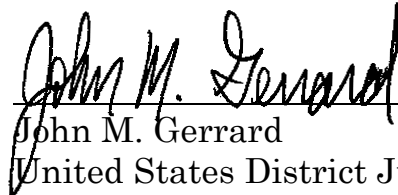
[28 U.S.C. § 636\(b\)\(1\)](#) provides for de novo review only when a party objected to the magistrate's findings and recommendations. *Peretz v. United States*, 501 U.S. 923 (1991). The failure to file an objection eliminates not only the need for de novo review, but any review by the Court. *Thomas v. Arn*, 474 U.S. 140 (1985); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609 (8th Cir. 2009). Accordingly, the Court will adopt the Magistrate Judge's Findings and Recommendation and dismiss the plaintiff's complaint.

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation ([filing 9](#)) is adopted.
2. The plaintiff's complaint is dismissed.
3. A separate judgment will be entered.

Dated this 8th day of June, 2017.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge