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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

<p>MICHAEL W. ESTES, Plaintiff(s), v. ROBERT GASTON, et al., Defendant(s).</p>	<p>2:12-CV-1853 JCM (VCF)</p>
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ORDER

Presently is the report and recommendation of Magistrate Judge Ferenbach regarding plaintiff's motion for leave to proceed in forma pauperis, motion for appointment of counsel, and screening plaintiff's complaint. (Doc. # 9). No objections have been filed and the deadline has expired.

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v.*

