

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

U.S. BANK,

Plaintiff,

v.

MICHAEL HARKEY,

Defendant.

Case No. 2:13-cv-0503-APG-PAL

ORDER ACCEPTING REPORT OF FINDINGS AND RECOMMENDATION


On July 11, 2013, Magistrate Judge Leen entered her Report of Findings and Recommendation [Dkt. #9], recommending that putative defendant Michael Harkey's Application to Proceed in Forma Pauperis be denied, and that his proposed Complaint be filed and dismissed. No objection has been filed to that Report of Findings and Recommendation. Thus, the Court is not obligated to conduct a de novo review of the Report. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise" (emphasis in original)). Nevertheless, this Court has conducted a de novo review of the issues set forth in the Report of Findings and Recommendation. Magistrate Judge Leen's Report of Findings and Recommendation sets forth the proper legal analysis, and the factual basis, for the decision. Therefore,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS HEREBY ORDERED that the Report and Recommendation is accepted.

IT IS FURTHER ORDERED that the Clerk of the Court shall file the Complaint, and that the Complaint shall thereafter be DISMISSED. The Clerk of the Court shall enter Judgment accordingly and close the case.

Dated: October 7, 2013.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE