

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Ervin Middleton,)
)
Plaintiff,)
vs.)
)
Plus Four, Inc.,)
)
Defendant.)
)

Case No.: 2:13-cv-1421-GMN-GWF

ORDER

Pending before the Court is the Report and Recommendation of United States Magistrate Judge George W. Foley, (ECF No. 4), which states that this action should be dismissed with prejudice based on pro se Plaintiff Ervin Middleton’s failure to file an Amended Complaint prior to the deadline set by the Court.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). 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, e.g., *United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

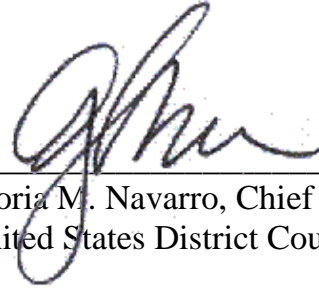
Here, no objections were filed, and the deadline to do so has passed.

1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 4), is
3 **ADOPTED** in full.

4 **IT IS FURTHER ORDERED** that this action is **DISMISSED WITH PREJUDICE**.
5 The Clerk shall enter judgment accordingly and close the case.

6 **DATED** this 6th day of October, 2014.

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8 A handwritten signature in black ink, appearing to read 'G. Navarro', is written over a horizontal line.

9 Gloria M. Navarro, Chief Judge
10 United States District Court

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