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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GEORGE DOLLAR,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, *et al.*,

Defendants.

Case No. 2:15-cv-00712-APG-CWH

**ORDER ON REPORT AND
RECOMMENDATION**

(ECF. No. 2)

On February 7, 2017, Magistrate Judge Hoffman entered a report and recommendation that: (1) I dismiss with prejudice plaintiff George Dollar's Fourteenth Amendment claim against Defendants John Doe LVMPD Officers #1 and #2 in their individual capacities, (2) I dismiss without prejudice Dollar's official capacity claims against Defendants John Doe LVMPD Officers #1 and #2 and claims against the Sheriff, Mayor, and District Attorney; and (3) if Dollar does not amend, that the case proceed only on Dollar's Fourth Amendment unlawful arrest claim against John Doe LVMPD Officers #1 and #2 in their individual capacities. ECF No. 2. Dollar did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 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)).

IT IS THEREFORE ORDERED that Judge Hoffman's report and recommendation (**ECF No. 2**) is accepted. Plaintiff George Dollar's Fourteenth Amendment claim against Defendants John Doe LVMPD Officers #1 and #2 in their individual capacities is dismissed with prejudice. Dollar's official capacity claims against Defendants John Doe LVMPD Officers #1 and #2 and his claims against the Sheriff, Mayor, and District Attorney are dismissed without prejudice.

1 Dollar's Fourth Amendment claim against John Doe LVMPD Officers #1 and #2 in their
2 individual capacities remains pending.

3 IT IS FURTHER ORDERED that plaintiff George Dollar may file an amended complaint
4 on or before March 31, 2017, if he can correct the deficiencies identified in Judge Hoffman's
5 report and recommendation. If Dollar does not amend, the case will proceed only on Dollar's
6 Fourth Amendment unlawful arrest claim against John Doe LVMPD Officers #1 and #2 in their
7 individual capacities

8 DATED this 1st day of March, 2017.

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ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE