

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 Rigoberto Enrique Isaza,
5 Plaintiff
6 v.
7 Earl Marshall Trotter et al.,
8 Defendants

Case No.: 2:15-cv-00891-JAD-CWH

**Order Adopting Report and
Recommendation [ECF No. 8]
and Dismissing without Prejudice**

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10 Rigoberto Enrique Isaza brings a civil rights complaint against Earl Marshall Trotter and
11 Farmers Insurance under 42 U.S.C. § 1983 and N.R.S. 41.0322. Isaza alleges that he and his brother
12 inherited a house in Las Vegas, Nevada, from their mother as evidenced by a will that a Farmer's
13 Insurance representative confirmed the existence of, but refuses to supply Isaza with a sealed copy
14 of.¹ Isaza further alleges that: (1) Trotter, an extended family member, has been renting the home
15 out for \$1,200 per month since 1999; (2) he is entitled to half of the rent that has been collected by
16 Trotter; and (3) Trotter has been "defrauding" him of his \$600 share of the proceeds every month
17 since approximately 2004.²

18 Magistrate Judge Hoffman recommends that Isaza's case be dismissed without prejudice for
19 failure to file an amended complaint within the time allowed by the court to do so after Isaza's case
20 was dismissed with leave to amend on February 17, 2017.³ The Report and Recommendation was
21 entered March 22, 2017. Objections were due April 5, 2017. "[N]o review is required of a
22 magistrate judge's report and recommendation unless objections are filed." *Schmidt v. Johnstone*,
23 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003). See also *Thomas v. Arn*, 474 U.S. 140, 150

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25 ¹ ECF No. 1 at 3–4, 7.

26 ² *Id.* at 4–5.

27 ³ ECF No. 8.

1 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Isaza has filed no
2 objections to the Report and Recommendation.


3 Accordingly, and with good cause appearing,

4 It is hereby ORDERED that Magistrate Judge Hoffman's Report and Recommendation [ECF
5 No. 8] is **ACCEPTED and ADOPTED**.

6 It is further ORDERED that this case is **DISMISSED** without prejudice.

7 DATED April 19, 2017.

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Jennifer A. Dorsey
United States District Judge