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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

DONOVAN SMITH,  
  
Plaintiff(s),  
  
v.  
  
SAMANTHA EISENBERG, et al.,  
  
Defendant(s).

Case No. 2:16-CV-618 JCM (CWH)

ORDER

Presently before the court is Magistrate Judge Hoffman’s report and recommendation. (ECF No. 19). No objections have been filed and the deadline for filing objections has since passed.

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. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

James C. Mahan  
U.S. District Judge

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Plaintiff has not objected to the report and recommendation. Nevertheless, the court engages in a de novo review to determine whether to adopt the magistrate judge's findings.

The magistrate judge recommends that the court close this action without prejudice because plaintiff has failed to file an amended complaint within the thirty-day deadline set forth in the court's April 19, 2017, order. (ECF No. 19). Upon reviewing the underlying record, the court finds good cause to adopt the magistrate judge's recommendation.

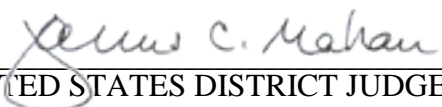
Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Magistrate Judge Hoffman's report and recommendation (ECF No. 19) be, and the same hereby is, ADOPTED in its entirety.

IT IS FURTHER ORDERED that the matter of Smith v. Eisenberg et al., case number 2:16-cv-00618-JCM-CWH, be, and the same hereby is, DISMISSED without prejudice.

The clerk shall close the case accordingly.

DATED January 28, 2019.

  
UNITED STATES DISTRICT JUDGE