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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KELLY M. LANDIS,

Plaintiff,

v.

LUXOR RESORT AND CASINO, et al,

Defendants.

Case No. 2:16-cv-02401-APG-GWF

**Order (1) Accepting Magistrate Judge's
Reports and Recommendations Dismissing
Some Claims, and (2) Dismissing
Remaining Claims**

(ECF Nos. 4, 9)

10 On October 2, 2017, Magistrate Judge Foley entered a Report and Recommendation
11 recommending dismissal with prejudice of the plaintiff's claims against defendants Shannon
12 Fitzmyer, Sujoy Brahma, and Bill Miller. ECF No. 4. No objection has been filed to that Report
13 and Recommendation. I am not required to conduct "any review at all ... of any issue that is not
14 the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). I therefore will accept that
15 recommendation and dismiss those claims.

16 On December 1, 2017, Magistrate Judge Foley entered another Report and
17 Recommendation recommending dismissal of the plaintiff's claims of discrimination and
18 harassment because the plaintiff failed to file an amended complaint and ignored Judge Foley's
19 order to show cause why those claims should not be dismissed. ECF No. 9. Again, no objection
20 has been filed so I am not required to conduct any review of that recommendation. *Thomas*, 474
21 U.S. at 149. I therefore will accept that recommendation and dismiss those claims.

22 Also on December 1, 2017, the plaintiff was advised by the court (ECF No. 8) that this
23 action would be dismissed without prejudice unless on or before December 31, 2017, the plaintiff
24 filed proper proof of service of the summons and complaint on all of the defendants or showed
25 good cause why such service was not timely made. The plaintiff has failed to file proof of service
26 nor shown good cause. Nor has the plaintiff shown cause why this action should not be dismissed
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for failure to effect timely service pursuant to FRCP 4(m). Therefore, I will dismiss the claims against Luxor without prejudice.

IT IS HEREBY ORDERED that Magistrate Judge Foley's October 2, 2017 Report and Recommendation (ECF No. 4) is accepted, and the plaintiff's claims against defendants Shannon Fitzmyer, Sujoy Brahma, and Bill Miller are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Magistrate Judge Foley's December 1, 2017 Report and Recommendation (ECF No. 9) is accepted, and the plaintiff's claims of discrimination and harassment are DISMISSED.

IT IS FURTHER ORDERED that this case is DISMISSED without prejudice. The clerk of the court shall enter Judgment accordingly and close this file.

Dated: January 5, 2018.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE