UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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GRACE ALBANESE, et al.,

Plaintiff,

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT,

Defendant.

Case No. 2:17-cv-01284-MMD-NJK

ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE NANCY J. KOPPE

Before the Court is Magistrate Judge Nancy J. Koppe's Report and Recommendation ("R&R" or "Recommendation") (ECF No. 8), regarding Plaintiff's amended complaint (ECF No. 7). Plaintiff had until June 29, 2017, to file an objection to the R&R. (ECF No. 8.) To date, no objection has been filed.

This 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). 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); see also Schmidt v. Johnstone, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in Reyna-Tapia as adopting the view that district courts are not required to review "any issue that is not the subject of an objection"). Thus, if there is no objection to a magistrate judge's recommendation, then the court may accept the recommendation without review. See, e.g., Johnstone, 263 F. Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to which no objection was filed).

Nevertheless, this Court finds it appropriate to engage in a *de novo* review in order to determine whether to adopt the R&R. Upon review of the R&R and the amended complaint in this case, the Court agrees with the R&R and will adopt it in full.

It is hereby ordered that the Magistrate Judge's Report and Recommendation (ECF No. 8) is accepted and adopted.

It is further ordered that this action is dismissed without prejudice.

The Clerk is directed to close this case.

DATED THIS 5th day of July 2017.

MIRANDA M. DU UNITED STATES DISTRICT JUDGE