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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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STACY HADDEN,

Plaintiff,

v.

CORRECTIONS CORPORATION OF  
AMERICA,

Defendant.

Case No. 2:17-cv-02817-MMD-GWF

ORDER ACCEPTING AND ADOPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE  
GEORGE FOLEY JR.

Before the Court is the Report and Recommendation of United States Magistrate Judge George Foley, Jr. (ECF No. 20) (“R&R”) regarding Plaintiff Stacy Hadden’s second amended complaint (“SAC”). Plaintiff had until July 22, 2019, to file an objection. (*Id.*) To date, Plaintiff has not filed an objection to the R&R and it appears Plaintiff has relocated without providing the Court with an updated address (ECF Nos. 19, 21). The Court accepts and adopts the R&R in full.

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

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

8 This Court finds it appropriate to engage in a *de novo* review to determine whether  
9 to adopt Judge Foley Jr.’s R&R. The Court finds good cause to accept and adopt the R&R  
10 in full.

11 In the R&R, Judge Foley Jr. recommends that the Court dismiss Plaintiff’s SAC for  
12 failure to comply with the Court’s prior orders and failure to prosecute this case. (ECF No.  
13 20.) The R&R also explains that Plaintiff’s failure to immediately notify the Court of any  
14 change of address qualifies for dismissal under Local Rule IA 3-1. (*Id.* at 2.) Based on this  
15 record, the Court accepts and adopts Judge Foley Jr.’s recommendation that this action  
16 be dismissed. *See, e.g., Thompson v. Hous. Auth. of City of L. A.*, 782 F.2d 829, 831 (9th  
17 Cir. 1986) (recognizing that district courts have the inherent power to control their dockets  
18 and “[i]n the exercise of that power, they may impose sanctions including, where  
19 appropriate . . . dismissal” of a case); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130 (9th  
20 Cir. 1987) (dismissing case for failure to comply with court order); *Link v. Wabash R. Co.*,  
21 370 U.S. 633 (1962) (“[W]hen circumstances make such action appropriate, a  
22 District Court may dismiss a complaint for failure to prosecute even without affording  
23 notice of its intention to do so or providing an adversary hearing before acting.”).

24 It is therefore ordered, adjudged and decreed that the Report and Recommendation  
25 of Magistrate Judge George Foley Jr. (ECF No. 20) is accepted and adopted in its entirety.

26 It is further ordered that this action is dismissed.

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The Clerk of Court is directed to enter judgment accordingly and close this case.  
DATED THIS 30<sup>th</sup> day of July 2019.



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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE