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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CATHY WHITE,  <p style="text-align: center;">v.</p> NANCY A. BERRYHILL,  	Plaintiff(s),  Defendant(s).	Case No. 2:18-CV-504 JCM (CWH)  <p style="text-align: center;">ORDER</p>
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Presently before the court is Magistrate Judge Hoffman’s report and recommendation (“R&R”) in the matter of White v. Berryhill, case number 2:18-cv-00504-JCM-CWH. No objections have been filed, and the deadline for doing so has passed.

Magistrate Judge Hoffman notes in his report and recommendation that plaintiff has failed to comply with the court’s order dated May 24, 2018, (ECF No. 3) which required her to file an amended complaint by June 25, 2018. (ECF No. 5 at 1). In light of plaintiff’s failure to take any action in this case since the court issued its May 24, 2018, order, Magistrate Judge Hoffman concludes that plaintiff “appears to have abandoned this case.” Id. See also Martinez v. Ylst, 951 F.2d 1153, 1157 (9th Cir. 1991) (holding that failure to file a timely objection may waive the right to appeal the district court’s order). Therefore, Magistrate Judge Hoffman recommends that plaintiff’s case be dismissed without prejudice. (ECF No. 5 at 1).

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).

James C. Mahan  
U.S. District Judge

