UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

F. MICHAEL MCCLANNAHAN,

Case No.: 2:18-cy-00611-APG-CWH

v.

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Order Accepting Report and Recommendation and Setting Deadline to File Amended Complaint

NEVADA STATE BANK,

Plaintiff

[ECF No. 4]

Defendant

On July 10, 2019, Magistrate Judge Hoffman recommended that I dismiss plaintiff F. Michael McClannahan's complaint with leave to amend. ECF No. 4. McClannahan did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo 12 determination of those portions of the report or specified proposed findings to which objection is 13 made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the 14 district judge must review the magistrate judge's findings and recommendations de novo if 15 objection is made, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Judge Hoffman's report and recommendation (ECF 17 No. 4) is accepted and plaintiff F. Michael McClannahan's complaint (ECF No. 1-1) is 18 DISMISSED without prejudice.

IT IS FURTHER ORDERED that on or before August 30, 2019, plaintiff F. Michael 20 McClannahan may file an amended complaint consistent with the instructions in Judge Hoffman's report and recommendation. Failure to file an amended complaint by that date will result in dismissal and closure of this case without prejudice.

DATED this 6th day of August, 2019.

ANDREW P. GORDON UNITED STATES DISTRICT JUDGE