

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 MARY DEL CARMEN,)
4)
5 Plaintiff,)
6 vs.)
7 RYAN ALLEN,)
8 Defendant.)

Case No.: 2:18-cv-00727-GMN-NJK

ORDER

9 Pending before the Court is the Report and Recommendation of United States
10 Magistrate Judge Nancy J. Koppe, (ECF No. 5), which recommends that Plaintiff Mary Del
11 Carmen’s case be DISMISSED without prejudice as to Plaintiff’s ability to seek relief in state
12 court and that her application to proceed in forma pauperis, (ECF N. 1) be DENIED as moot.

13 A party may file specific written objections to the findings and recommendations of a
14 United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B);
15 D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo
16 determination of those portions to which objections are made. Id. The Court may accept, reject,
17 or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge.
18 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is
19 not required to conduct “any review at all . . . of any issue that is not the subject of an
20 objection.” Thomas v. Arn, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized
21 that a district court is not required to review a magistrate judge’s report and recommendation
22 where no objections have been filed. See, e.g., United States v. Reyna-Tapia, 328 F.3d 1114,
23 1122 (9th Cir. 2003).

24 Here, no objections were filed, and the deadline to do so has passed.

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1 Accordingly,

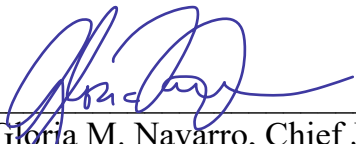
2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 5), is
3 **ACCEPTED and ADOPTED** in full.

4 **IT IS FURTHER ORDERED** that Plaintiff Mary Del Carmen's case is **DISMISSED**
5 **without prejudice** as to Plaintiff's ability to seek relief in state court.

6 **IT IS FURTHER ORDERED** that Plaintiff Mary Del Carmen's application to proceed
7 *in forma pauperis*, (ECF No. 1), is **DENIED AS MOOT**.

8 The Clerk of Court shall close this case and enter judgment accordingly.

9 **DATED** this June day of [REDACTED], 2018.
10 June

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12 _____
13 Gloria M. Navarro, Chief Judge
14 United States District Court
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