

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 R. WAYNE JOHNSON

4 Plaintiffs

5 v.

6 STEVEN GRIERSON and BRANDI
7 WENDEL,

8 Defendants


Case No.: 2:18-cv-00969-APG-GWF

**Order Accepting Report and
Recommendation and Dismissing Case**

9 On July 11, 2019, Magistrate Judge Foley recommended that I dismiss this case because
10 plaintiff R. Wayne Johnson did not file an amended complaint by the given deadline and did not
11 respond to Judge Foley’s order to show cause. ECF No. 11. Johnson did not file objections nor
12 did he file an amended complaint. Thus, I am not obligated to conduct a de novo review of the
13 report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo
14 determination of those portions of the report or specified proposed findings to which objection is
15 made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the
16 district judge must review the magistrate judge’s findings and recommendations de novo *if*
17 *objection is made*, but not otherwise” (emphasis in original)).

18 IT IS THEREFORE ORDERED that Magistrate Judge Foley’s report and
19 recommendation (**ECF No. 11**) is **accepted** and plaintiff’s complaint (ECF No. 1-1) is
20 DISMISSED without prejudice. The clerk of court is instructed to close this case.

21 DATED this 29th day of July, 2019.

22
23 
ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE