

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 PENN ENGINEERING AND)
4 MANUFACTURING CORP.,)
5 Plaintiff,)
6 vs.)
7 DONGGUAN ZHENGMAO PRECISION)
8 HARDWARE FACTORY,)
9 Defendant.)
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Case No.: 2:18-cv-02079-GMN-EJY

ORDER

11 Pending before the Court is the Report and Recommendation of United States
12 Magistrate Judge Elayna J. Youchah, (ECF No. 12), which recommends denying without
13 prejudice Plaintiff Penn Engineering and Manufacturing Corporation’s (“Plaintiff’s”) Motion
14 for Default Judgment and Permanent Injunction, (ECF No. 11).

15 A party may file specific written objections to the findings and recommendations of a
16 United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B);
17 D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo
18 determination of those portions to which objections are made. *Id.* The Court may accept, reject,
19 or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge.
20 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is
21 not required to conduct “any review at all . . . of any issue that is not the subject of an
22 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized
23 that a district court is not required to review a magistrate judge’s report and recommendation
24 where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114,
25 1122 (9th Cir. 2003).

1 Here, no objections were filed, and the deadline to do so, January 22, 2021, has passed.
2 (*See* Report and Recommendation, ECF No. 12).

3 Accordingly,

4 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 12), is
5 **ACCEPTED AND ADOPTED in full.**

6 **IT IS FURTHER ORDERED** that Plaintiffs' Motion for Default Judgment and
7 Permanent Injunction, (ECF No. 11), is **DENIED without prejudice.**

8 **IT IS FURTHER ORDERED** that Plaintiff be given one additional thirty (30) day
9 opportunity to serve Defendant Dongguan Zhengmao Precision Hardware Factory
10 ("Defendant") in accordance with Federal Rule of Civil Procedure 4(f) and (h)(2).

11 **IT IS FURTHER ORDERED** that Plaintiff be given leave to refile its Motion for
12 Default Judgment and Permanent Injunction once it demonstrates to the Court that service of
13 process upon Defendant was properly attempted or, if achieved, no responsive pleading was
14 timely filed.

15 **DATED** this 16 day of February, 2021.

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20 Gloria M. Navarro, District Judge
21 UNITED STATES DISTRICT COURT
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