

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 BYRON WILLIAMS,

4 Plaintiff

5 v.

6 DEPARTMENT OF HEALTH AND
7 HUMAN SERVICES DIVISION OF
8 PUBLIC AND BEHAVIOR HEALTH,

 Defendant

Case No.: 2:19-cv-02087-APG-BNW

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

[ECF No. 4]

9 On December 9, 2020, Magistrate Judge Weksler recommended that I dismiss this case
10 without prejudice because plaintiff Byron Williams did not file an amended complaint by the
11 given deadline. ECF No. 4. Williams did not object. Thus, I am not obligated to conduct a de
12 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts
13 to “make a de novo determination of those portions of the report or specified proposed findings
14 to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
15 (en banc) (“the district judge must review the magistrate judge’s findings and recommendations
16 de novo *if objection is made*, but not otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Weksler’s report and recommendation
18 (ECF No. 4) is accepted. Plaintiff Byron Williams’ complaint (ECF No. 1-1) is dismissed
19 without prejudice. The clerk of court is instructed to close this case.

20 DATED this 6th day of January, 2021.

21 

22 ANDREW P. GORDON
23 UNITED STATES DISTRICT JUDGE