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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAMES LLOYD PHILLIPS,

Plaintiff

v.

STATE OF NEVADA DEPARTMENT OF  
TRAINING AND REHABILITATION, et  
al.,

Defendants

Case No.: 2:20-cv-01895-APG-NJK

**Order Accepting Report and  
Recommendation**

[ECF No. 12]

On January 5, 2021, Magistrate Judge Koppe recommended that plaintiff James Phillips' complaint be dismissed because he did not pay the filing fee or complete an application to proceed in forma pauperis. ECF No. 12. After this matter was remanded from the Ninth Circuit, I gave Phillips until November 10, 2021 to object to Magistrate Judge Koppe's report and recommendation. ECF No. 20. Phillips has not objected. 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 determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Koppe's report and recommendation (ECF No. 12) is **accepted** and plaintiff James Phillips' complaint (ECF No. 1-1) is **dismissed without prejudice**. The clerk of court is instructed to close this case.

DATED this 19th day of November, 2021.

  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE