

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Bruce Anthony Iorio,

Plaintiff

v.

State of Nevada, et al.,

Defendants

Case No.: 2:23-cv-01157-CDS-BNW

Order Overruling Untimely Objections to
the Report and Recommendation of the
Magistrate Judge

[ECF No. 6]

On November 7, 2023, I issued an order adopting the report and recommendation (R&R) of Magistrate Judge Brenda Weksler in its entirety, thereby dismissing pro se plaintiff Bruce Iorio's complaint without leave to amend for failing to state a claim upon which relief could be granted. Order, ECF No. 4. At the time I adopted the R&R, Iorio had not filed objections, which were due on November 1, 2023. *See* ECF No. 3.

On November 8, 2023, Iorio filed untimely objections to the R&R. Obj., ECF No. 6. While I am under no obligation to consider untimely objections,¹ I nonetheless conducted a de novo review of Iorio's objections.² I find the objections are vague, conclusory, and generally non-responsive to Judge Weksler's R&R. *See generally id.* Moreover, Iorio did not cite legal authority or make any argument demonstrating that the R&R was either clearly erroneous or contrary to the law. *Id.*

¹ Under this district's local rules, a party may object to a magistrate judge's order within 14 days after service of the order. LR IB 3-1. Objections made outside of this window are disregarded as untimely. *See Bacon v. Cox*, 2020 U.S. Dist. LEXIS 27688, at *3 n.5 (D. Nev. Feb. 19, 2020).

² "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed." *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 Accordingly, Iorio's objections [ECF No. 6] are overruled. The court's order adopting
2 Magistrate Judge Weksler's report and recommendation [ECF No. 4] stands. Plaintiff's
3 complaint [ECF No. 1-1] remains **DISMISSED without leave to amend.**

4 DATED: November 13, 2023

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8 Cristina D. Silva
9 United States District Judge
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