

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

3 TAYVION POSEY,

4 Plaintiff,

5 vs.

6 LAS VEGAS METROPOLITAN POLICE
7 DEPARTMENT,

8 Defendant.

Case No.: 2:23-cv-01936-GMN-MDC

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

9 Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 43),
10 from United States Magistrate Judge Maximiliano D. Couvillier, III, which recommends that
11 Defendant Las Vegas Metropolitan Police Department’s Motion to Dismiss, (ECF No. 29), be
12 DENIED.

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

25 No objections to the R&R were filed, and the deadline to do so has passed. (*See* R&R,

1 ECF No. 43) (setting a December 27, 2024, deadline for objections).

2 Accordingly,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 43), is
4 **ACCEPTED and ADOPTED** in full.

5 **IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss, (ECF No. 29), is
6 **DENIED.**

7 Dated this 6 day of January, 2025.

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11 Gloria M. Navarro, District Judge
12 United States District Court
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