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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 William Ball,

5 Plaintiff

6 v.

7 Station GVR Acquisition,

8 Defendant

Case No. 2:24-cv-01453-CDS-NJK

9  
10 **Order Adopting Report and  
11 Recommendation of the Magistrate Judge  
12 and Closing Case**

13 [ECF Nos. 1-1, 8, 12, 13, 14]

14 On September 26, 2024, Magistrate Judge Nancy Koppe issued a report and  
15 recommendation (“R&R”) that I strike plaintiff William Ball’s unsigned complaints and dismiss  
16 this action without prejudice. R&R, ECF No. 12. Judge Koppe entered the recommendation  
17 after Ball failed to refile a *signed* amended complaint by September 24, 2024. Order, ECF No. 9.  
18 Ball had until October 10, 2024, to file any objections to the R&R. ECF No. 12 at 1–2 (citing LR  
19 IB 3-2(a) (stating that parties wishing to object to an R&R must file objections within fourteen  
20 days)); *see also* 28 U.S.C. § 636(b)(1)(C) (same). As of the date of this order, no objections to the  
21 R&R are filed, nor did Ball seek additional time to file objections to the R&R. “[N]o review is  
22 required of a magistrate judge’s report and recommendation unless objections are filed.” *Schmidt*  
23 *v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150  
24 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

25 Instead, more than two weeks after the September 24 deadline passed, and without  
26 filing a motion to extend time pursuant to Local Rule IA 6-1,<sup>1</sup> Ball filed a signed version of his  
complaint, which the Clerk’s Office docketed as a second amended complaint (“SAC”). While

<sup>1</sup> Under the local rules of this district, a motion or stipulation to extend time must state the reasons for the extension requested and must inform the court of all previous extensions of the subject deadline that the court granted. LR IA 6-1. The rules further state that requests for extensions made after the deadline has expired will not be granted unless the movant or attorney demonstrates that the failure to file the motion before the deadline expired was the result of excusable neglect. *Id.*

1 Ball is pro se, he must still abide by the rules of this court. See *Carter v. Comm’r of Internal Revenue*,  
2 784 F.2d 1006, 1008 (9th Cir. 1986); *Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995) (“[P]ro se  
3 litigants are bound by the rules of procedure.”); *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987)  
4 (“Pro se litigants must follow the same rules of procedure that govern other litigants.”). The  
5 signed complaint was not filed timely and Ball neither moved this court for more time to file it,  
6 nor provided any explanation as to why it was untimely. I therefore strike the filing at ECF No.  
7 13. I hereby adopt Judge Koppe’s report and recommendation in full and dismiss this action  
8 without prejudice. If Ball wishes to pursue his claims against Station GVR Acquisition, he must  
9 file a complaint in a new case.

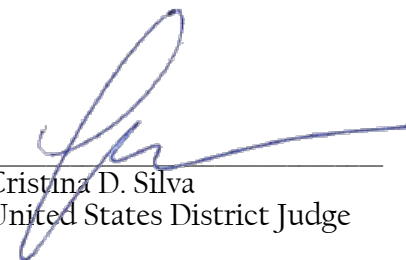
10 **Conclusion**

11 IT IS THEREFORE ORDERED that Judge Koppe’s report and recommendation [ECF  
12 No. 12] is adopted in its entirety. Ball’s unsigned complaints [ECF Nos. 1-1, 8] are stricken.

13 IT IS FURTHER ORDERED that the untimely, signed complaint [ECF No. 13] is  
14 stricken.

15 Because this action is dismissed without prejudice, defendant’s motion to dismiss [ECF  
16 No. 14] is denied as moot. The Clerk of Court is kindly instructed to enter judgment  
17 accordingly and to close this case.

18 Dated: October 22, 2024

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21 Cristina D. Silva  
22 United States District Judge  
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