UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

AMERICAN EXPRESS NATIONAL BANK,

Plaintiff,

vs.

YAUSMENDA FREEMAN,

Defendant.

Case No.: 2:25-cv-00094-GMN-MDC

SECOND AMENDED[1] ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is the Report and Recommendation ("R&R"), (ECF No. 4), from United States Magistrate Judge Maximiliano D. Couvillier III recommending that this matter be REMANDED back to state court because the Court lacks subject matter jurisdiction over the matter.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge's findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a

[1] This Second Amended Order is filed to correct an error in the conclusion of the First Amended Order. The Amended Order held that the case shall be remanded to the Henderson Justice Court. However, the case originated in the North Las Vegas Justice Court and shall be remanded accordingly.

district court is not required to review a magistrate judge's R&R where no objections have been filed. *See, e.g.*, *United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

No objections to the R&R were filed, and the deadline to do so has passed. (*See* R&R, ECF No. 4) (setting a February 21, 2025, deadline for objections).

Accordingly,

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

IT IS FURTHER ORDERED that this matter is **REMANDED** to North Las Vegas Justice Court.

The Clerk of Court is kindly requested to close the case and **STRIKE** ECF No. 8.

Dated this 5 day of March, 2025.

Gloria M. Navarro, District Judge
United States District Court