



1 of review employed by the district court when reviewing a report and recommendation to  
2 which no objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,  
3 1226 (D. Ariz. 2003) (reading the Ninth Circuit’s decision in *Reyna-Tapia* as adopting the  
4 view that district courts are not required to review “any issue that is not the subject of an  
5 objection.”). Thus, if there is no objection to a magistrate judge’s recommendation, then  
6 the court may accept the recommendation without review. *See, e.g., Johnstone*, 263 F.  
7 Supp. 2d at 1226 (accepting, without review, a magistrate judge’s recommendation to  
8 which no objection was filed).

9         Nevertheless, this Court finds it appropriate to engage in a *de novo* review to  
10 determine whether to adopt Magistrate Judge Cooke’s R&R. On January 3, 2017, the  
11 Magistrate Judge screened and dismissed Plaintiff’s amended complaint without  
12 prejudice and gave Plaintiff until February 2, 2017, to file an amended complaint to  
13 address the deficiencies of her claims. (ECF No. 10.) The Magistrate Judge advised  
14 Plaintiff that her failure to timely file an amended complaint will lead to a  
15 recommendation to dismiss her complaint with prejudice. (*Id.* at 8.) On April 10, 2017,  
16 two months after expiration of the time for Plaintiff to file an amended complaint, the  
17 Magistrate Judge issued the R&R, recommending dismissal of the complaint with  
18 prejudice because of Plaintiff’s failure to comply with the dismissal order. (ECF No. 11.)  
19 Plaintiff had until April 24, 2017, to file an objection to the R&R. On April 21, 2017,  
20 Plaintiff filed a motion, seeking an indefinite extension of time to file an amended  
21 complaint without stating any reason supporting her request as required under LR IA 6-  
22 1(a). (ECF No. 13.) Despite these deficiencies, the Court granted Plaintiff an extension  
23 until May 24, 2017, to file an amended complaint. (ECF No. 14.) With this extension,  
24 Plaintiff was essentially given over 120 days to file an amended complaint. To date,  
25 Plaintiff has not filed an amended complaint or asked for another extension of time.  
26 Under these circumstances, the Court agrees with the Magistrate Judge’s  
27 recommendation and will adopt the R&R.

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It is therefore ordered, adjudged and decreed that the Report and Recommendation of Magistrate Judge Valerie P. Cooke (ECF No.11) is accepted and adopted in its entirety.

It is ordered that the complaint (ECF No. 8) is dismissed with prejudice.

It is further ordered that the Clerk close this case.

DATED THIS 31<sup>st</sup> day of May 2017.

  
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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE