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28UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KENNETH FRIEDMAN,

Plaintiff,

v.

ROMEO ARANAS, *et al.*,

Defendants.

Case No. 3:17-cv-00433-MMD-WGC

ORDER

Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge William G. Cobb (ECF No. 216), recommending that the Court deny Plaintiff’s Motion for Partial Summary Judgment on RLUIPA¹ Claims against Defendants Kyle, Woods, and Aranas (“Motion”) (ECF No. 155). Plaintiff had until January 10, 2020, to file an objection. To date, no objection has been filed. For that reason, and because the Court agrees with Judge Cobb, the Court will adopt the R&R.

This 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). 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); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the court “need only

¹Religious Land Use and Institutionalized Persons Act of 2000. 42 U.S.C. § 2000cc-1(a).


1 satisfy itself that there is no clear error on the face of the record in order to accept the
2 recommendation”).

3 While Plaintiff has failed to timely object to Judge Cobb’s recommendation to
4 deny his Motion, the Court has nevertheless conducted a *de novo* review to determine
5 whether to adopt the R&R. After reviewing the R&R (ECF No. 216) and briefs relating to
6 Plaintiff’s Motion (ECF Nos. 155, 203, 211), the Court agrees with Judge Cobb’s finding
7 that genuine issues of material facts exist as to whether Plaintiff’s religious exercise was
8 substantially burdened to preclude summary judgment on his RLUIPA claims.

9 It is therefore ordered, adjudged, and decreed that the Report and
10 Recommendation of Magistrate Judge William G. Cobb (ECF No. 216) is accepted and
11 adopted in full.

12 It is further ordered that Plaintiff’s Motion for Partial Summary Judgment on
13 RLUIPA Claims (ECF No. 155) is denied.

14 DATED THIS 16th day of January 2020.



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16 MIRANDA M. DU
17 CHIEF UNITED STATES DISTRICT JUDGE

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