



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

9           Nevertheless, this Court finds it appropriate to engage in a *de novo* review to  
10 determine whether to adopt Magistrate Judge Cobb’s R&R. Upon reviewing the R&R, and  
11 proposed complaint and the filings in Case No. 3:17-cv-00394-RCJ-WGC, this Court finds  
12 good cause to accept and adopt the Magistrate Judge’s R&R in full.

13           It is therefore ordered, adjudged and decreed that the Report and Recommendation  
14 of Magistrate Judge William G. Cobb (ECF No. 6) is accepted and adopted in its entirety.

15           It is further ordered that this action is dismissed. To the extent Plaintiff seeks a  
16 refund of the filing fee from case No. 3:17-cv-00394-RCJ-WGC, his request is denied.

17           The Clerk is directed to close this case.

18           DATED THIS 20<sup>th</sup> day of October 2017.

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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE