

1

2

3

## UNITED STATES DISTRICT COURT

4

## DISTRICT OF NEVADA

5

\* \* \*

6

ROGELIO PEREZ,

Case No. 3:18-cv-00379-MMD-CLB

7

Plaintiff,

ORDER

8

v.

9

DR. ROMEO ARANAS, *et al.*,

10

Defendants.

11

*Pro se* Plaintiff Rogelio Perez submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 5.) Before the Court is the Report and Recommendation of United States Magistrate Judge Carla L. Baldwin (ECF No. 34 (“R&R”)), recommending that Defendants’ motion for summary judgment (ECF No. 24) be granted, and that the Clerk of Court enter judgment and close this case. Perez had until January 3, 2022, to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R and will close this case.

18

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). Where a party fails to object to a magistrate judge’s recommendation, 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, 1116 (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 satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

28

///

1           Because there is no objection, the Court need not conduct *de novo* review, and is  
2 satisfied that Judge Baldwin did not clearly err. Here, Judge Baldwin recommends  
3 granting Defendants' motion for summary judgment because Defendants have submitted  
4 evidence establishing that they monitored Perez's Hepatitis C condition during the  
5 relevant time of the complaint. (ECF No. 34 at 7-9.) Moreover, Perez has failed to meet  
6 his burden to show an issue of fact that Defendants were deliberately indifferent to his  
7 condition since he has only shown he disagrees with Defendants' course of treatment.  
8 (*Id.* at 9-11.) The Court agrees with Judge Baldwin. Having reviewed the R&R and the  
9 record in this case, the Court will adopt the R&R in full.

10           It is therefore ordered that Judge Carla L. Baldwin's Report and Recommendation  
11 (ECF No. 34) is accepted and adopted in full.

12           It is further ordered that Defendants' motion for summary judgment (ECF No. 24)  
13 is granted.

14           The Clerk of Court is directed to enter judgment accordingly and to close this case.

15           DATED THIS 10<sup>th</sup> Day of January 2022.

16  
17  
18             
19           \_\_\_\_\_  
20           MIRANDA M. DU  
21           CHIEF UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25  
26  
27  
28