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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 CLARENCE D. JOHNSON, JR.,

Case No. 3:21-cv-00044-MMD-CLB

7 Plaintiff,

ORDER

8 v.

9 POPE FRANCIS PAUL, *et al.*,

10 Defendants.

11 *Pro se* Plaintiff Clarence D. Johnson, Jr. brings this action against Pope Francis
12 Paul, Biden, Trump, Obama, United Nations, Russell Moore, and Queen Elizabeth
13 alleging violations of federal and international law. (ECF No. 1-1) Before the Court is the
14 Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate
15 Judge Carla L. Baldwin (ECF No. 4), recommending Plaintiff’s application to proceed *in*
16 *forma pauperis* (ECF No. 1) be granted, his Complaint (ECF No. 1-1) be dismissed, with
17 prejudice, and his miscellaneous outstanding motions (ECF Nos. 3-1, 3-2, 3-3, 3-4, 3-5)¹
18 be denied as moot. Plaintiff had until February 9, 2021, to file an objection. To date, no
19 objection to the R&R has been filed. For this reason, and as explained below, the Court
20 adopts the R&R, and will dismiss Plaintiff’s Complaint, with prejudice, and will deny all
21 outstanding motions as moot.

22 The Court “may accept, reject, or modify, in whole or in part, the findings or
23 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party
24 fails to object to a magistrate judge’s recommendation, the Court is not required to
25 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas*
26 *v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114,

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28 ¹Since Judge Baldwin issued her R&R, Plaintiff has filed six new motions (ECF Nos. 5, 6, 7, 8, 10, 11), all of which would logically be moot as well if Plaintiff has failed to state a claim upon which relief could be granted.

1 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and
2 recommendations is required if, but *only* if, one or both parties file objections to the
3 findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory
4 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no
5 clear error on the face of the record in order to accept the recommendation.”).

6 Because there is no objection, the Court need not conduct de novo review, and is
7 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends first that
8 Plaintiff’s application to proceed *in forma pauperis* be granted because Plaintiff cannot
9 pay the filing fee. (ECF No. 4 at 2.) Under 28 U.S.C. § 1915(e)(2), a district court must
10 screen an *in forma pauperis* complaint to determine whether dismissal is appropriate. *See*
11 *Lopez v. Smith*, 203 F.3d 1122, 1129 (9th Cir. 2000); *see also Watison v. Carter*, 668
12 F.3d 1108, 1112 (9th Cir. 2012) (“The standard for determining whether a plaintiff has
13 failed to state a claim upon which relief can be granted under § 1915(e)(2)(B)(ii) is the
14 same as the Federal Rule of Civil Procedure 12(b)(6) standard for failure to state a
15 claim.”). After accepting all the allegations in the Complaint as true and resolving all
16 doubts in Plaintiff’s favor, *see Jenkins v. McKeithen*, 395 U.S. 411, 421 (1969), Judge
17 Baldwin found that Plaintiff’s Complaint “states no claim upon which relief may be
18 granted.” (ECF No. 4 at 4.) Judge Baldwin reasoned that the “rambling [and] nonsensical”
19 nature of the Complaint failed to meet the requisite “short and plain statement of claim
20 showing that the pleader is entitled to relief.” (*Id.* (citing *Bell Atl. Co. v. Twombly*, 550 U.S.
21 544, 555 (2007).) The Complaint does not state any clear theory of jurisdiction over the
22 myriad Defendants, nor does it go beyond stating gesturing violations of “federal statute
23 [and] international law.” (ECF No. 1-1 at 1-2.) Judge Baldwin further reasoned that “given
24 the vague nature of allegations, amendment would be futile.” (ECF No. 4 at 4.) The Court
25 agrees with Judge Baldwin. Having reviewed the R&R and the record in this case, the
26 Court will adopt the R&R in full.

27 It is therefore ordered that Judge Baldwin’s Report and Recommendation (ECF
28 No. 4) is accepted and adopted in full.

1 It is further ordered that Plaintiff's motion to proceed *in forma pauperis* (ECF No.
2 1) is granted.

3 The Clerk of Court is directed to file Plaintiff's complaint (ECF No. 1-1).

4 It is further ordered that Plaintiff's complaint (ECF No. 1-1) is dismissed, with
5 prejudice.

6 It is further ordered that the remaining outstanding motions (ECF Nos. 3-1, 3-2, 3-
7 3, 3-4, 3-5, 5, 6, 7, 8, 10, 11) are denied as moot.

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

9 DATED THIS 17th Day of February 2021.

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13 MIRANDA M. DU
14 CHIEF UNITED STATES DISTRICT JUDGE
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