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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 DWANVAE PEARSON,

Case No. 3:21-cv-00363-MMD-CLB

7 Plaintiff,

ORDER

8 v.

9 WILLIAM GITTERE, *et al.*,

10 Defendants.

11 *Pro se* Plaintiff Dwanvae Pearson brings this action under 42 U.S.C. § 1983.  
12 Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate  
13 Judge Carla L. Baldwin (ECF No. 24), recommending that the Court dismiss this action  
14 for Pearson’s failure to comply with Local Rule IA 3-1. Pearson had until January 13, 2023  
15 to file an objection. To date, no objection to the R&R has been filed.<sup>1</sup> For this reason, and  
16 as explained below, the Court adopts the R&R in full and dismisses this action.

17 Because there is no objection, the Court need not conduct *de novo* review and is  
18 satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d  
19 1114, 1116 (9th Cir. 2003) (“*De novo* review of the magistrate judges’ findings and  
20 recommendations is required if, but *only* if, one or both parties file objections to the  
21 findings and recommendations.”) (emphasis in original). Here, Judge Baldwin  
22 recommends dismissing this action because Pearson has failed to update his address  
23 with the Court in accordance with Local Rule IA 3-1 or otherwise indicate an intent to  
24 prosecute this action, and all the relevant factors weigh in favor of dismissal. (ECF No.  
25 24 at 1-2.) The Court agrees with Judge Baldwin. Having reviewed the R&R and the  
26 record in this case, the Court will adopt the R&R in full.

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28 <sup>1</sup>The R&R was returned as undeliverable. (ECF No. 25.) However, it is Pearson’s  
responsibility to file notification of any change of mailing address. See LR IA 3-1.

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It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF No. 24) is accepted and adopted in full.

It is further ordered that this action is dismissed without prejudice.

The Clerk of Court is directed to enter judgment in Defendants' favor and close this case.

DATED THIS 18<sup>th</sup> Day of January 2023.



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MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE