UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

                                                  :
YANG ZHANG,   :
                                                  :   CASE NO. 1:15-CV-0720
                 Plaintiff,   :
                                                  :
v.   :   OPINION & ORDER
                                                  :   [Resolving Doc Nos. 1, 48]
NICOLE CLEVENGER, et al.   :
                                                  :
                 Defendants.   :
                                                  :

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Zhang filed a complaint alleging breach of contract, conversion, and fraud.[1] Now,

Zhang has failed to respond to the court's Order to Show Cause why this action should not be

dismissed for failure to prosecute.[2] On November 3, 2015, Magistrate Judge McHargh

recommended that this Court dismiss the action.[3] Neither party has filed an objection to Magistrate

Judge McHargh's Report and Recommendation ("R&R").

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of

those portions of a R&R to which a party has made an objection.[4] Parties must file any objections

to a R&R within fourteen days of service.[5] Failure to object within that time waives a party's right

to have the Court review the R&R.[6] Absent objection, a district court may adopt the R&R without

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[1] Doc. 1.
[2] Doc. 48.
[3] Doc. 50.
[4] 28 U.S.C. § 636(b)(1)(C).
[5] Fed. R. Civ. P. 72(b)(2); LR 72.3(b).
[6] LR 72.3(b); *see Thomas v. Arn*, 474 U.S. 140, 145 (1985); *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

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review.[7]

In this case, neither party has objected to the R&R. Moreover, having conducted its own review of the record, this Court agrees with the conclusions of Magistrate Judge McHargh.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge McHargh's Report and Recommendation and incorporates it fully herein by reference. The Court **DISMISSES WITH PREJUDICE** Zhang's complaint.

IT IS SO ORDERED.

Dated: November 24, 2015
s/   *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

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[7]*See Thomas*, 474 U.S. at 149.