IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

ADI FAIRBANK,

No. 3:13-cv-00397-HU

Plaintiff,

ORDER

V.

JAMES A. UNDERWOOD and EDDIE MEDINA,

Defendants.

Adi Fairbank 5023 SE Kelly Street Porland, OR 97206

Pro Se Plaintiff

Frank H. Lagesen Shane P. Swilley Cosgrave Vergeer Kester, LLP 888 SW Fifth Avenue, Suite 500 Portland, OR 97204

Attorney for Defendants

1 - ORDER

HERNANDEZ, District Judge:

Magistrate Judge Hubel issued a Findings and Recommendation (#27) on November 12,

2013, in which he recommends that the Court grant Defendants' request for judicial notice (#7),

grant in part and deny in part Defendants' motion to dismiss (#2), deny Defendants' motion for

sanctions (#10), and grant Defendants' motion to strike Plaintiff's sur-reply (#23). The matter is

now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were

timely filed, I am relieved of my obligation to review the record *de novo*. United States v.

Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt,

840 F.2d 1441, 1444 (9th Cir. 1988) (de novo review required only for portions of Magistrate

Judge's report to which objections have been made). Having reviewed the legal principles de

novo, I find no error.

CONCLUSION

The Court adopts Magistrate Judge Hubel's Findings and Recommendation (#27).

Accordingly, Defendants' request for judicial notice (#7) is granted, Defendants' motion to

dismiss (#2) is granted in part and denied in part, Defendants' motion for sanctions (#10) is

denied, and Defendants' motion to strike Plaintiff's sur-reply (#23) is granted.

IT IS SO ORDERED.

DATED this day of December, 2013.

United States District Judge