

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LINH THI MINH TRAN,

3:16-cv-00707-AC

Plaintiff,

ORDER

v.

DARRYN J. KUEHL, BENJAMIN
J. TOOPS and RYAN KERSEY,

Defendants.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#45) on January 5, 2017, in which he recommends this Court grant Defendants' Motions (#12, #19) to Dismiss Plaintiff's Complaint with leave to amend. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*,

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561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#45). Accordingly, the Court **GRANTS** Defendants' Motions (#12, #19) to Dismiss Plaintiff's Complaint **without prejudice**. Plaintiff has leave to file an amended complaint by March 3, 2017. This matter is returned to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

DATED this *2nd* day of February, 2017.



ANNA J. BROWN
United States District Judge