

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

GEORGE VIDA,

No. 3:17-cv-00485-AC

Plaintiff,

v.

FRANKLIN EASTERDAY,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation (#4) on March 28, 2017, in which he recommends that this Court dismiss Plaintiff's complaint without prejudice. In addition, he recommends this Court grant Plaintiff leave to amend. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

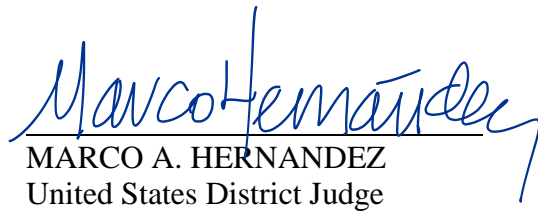
Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record de novo. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 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 Acosta's Findings & Recommendation [4].  
Accordingly, Plaintiff's Complaint [1] is dismissed without prejudice and this Court grants Plaintiff leave to amend. Any amended complaint is due within fourteen days of the date of this Order.

IT IS SO ORDERED.

DATED this 8 day of May, 2017.

  
MARCO A. HERNANDEZ  
United States District Judge