

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**TORIANDRE T. GIVENS,**

Plaintiff,

v.

**DELORISE LAWSON et al.,**

Defendants.

No. 3:22-cv-00772-YY

OPINION AND ORDER

**MOSMAN, J.,**

On August 30, 2022, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”) [ECF 9], recommending that Plaintiff’s Motion to Remand [ECF 4] be granted. Defendants filed objections [ECF 11], and Plaintiff responded [ECF 12].

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*

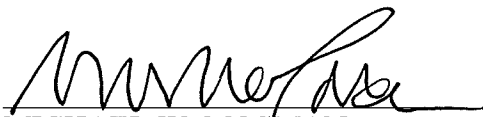
*Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

### CONCLUSION

Upon review, I agree with Judge You's recommendation, and I ADOPT the F&R [ECF 9] as my own opinion. Plaintiff's Motion to Remand [ECF 4] is GRANTED.

IT IS SO ORDERED.

DATED this 27 day of September, 2022.

  
MICHAEL W. MOSMAN  
Senior United States District Judge