

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**ASHLEY D. ANDREWS**, an individual,

Plaintiff,

v.

**CITY OF SAINT HELENS**, a Municipal  
Corporation; **ADAM S. RAETHKE**;  
**JAMIN W. COY**; and **EVIN V. EUSTICE**,

Defendants.

Case No. 3:22-cv-01128-YY

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

**IMMERGUT, District Judge.**

Defendants have not filed any objections to Judge You’s Findings and Recommendations (“F&R”), ECF 41, recommending that Plaintiff’s Motion to File First Amended Complaint, ECF 25, be granted. Nonetheless, this Court has reviewed the F&R and ADOPTS it.

**STANDARDS**

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or

recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

### CONCLUSION

Judge You’s F&R, ECF 41, is adopted in full. This Court GRANTS Plaintiff’s Motion to File First Amended Complaint, ECF 25.

**IT IS SO ORDERED.**

DATED this 10th day of May, 2024.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge