IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

LARRY BALCOM, an individual, by and through his guardian ad litem, Mary Barnes, and **MARY BARNES**,

Plaintiffs,

v.

CLINTON PETERSON AND APRIL PETERSON, a married couple, **FORECLOSURE HELP, L.L.C.**, an Idaho Limited Liability Company, and **JOHN & JANE DOE 1–5**,

Defendants.

Case No. 3:23-cv-00528-SB

OPINION AND ORDER ADOPTING JUDGE BECKERMAN'S FINDINGS AND RECOMMENDATION

IMMERGUT, District Judge.

No objections have been filed in response to Judge Beckerman's Findings and Recommendation, ECF 62. This Court ADOPTS the F&R.

LEGAL 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

No objections have been filed in response to the F&R. The F&R, ECF 62, is adopted in full. This Court DENIES Defendants' Motion to Dismiss, ECF 39.

IT IS SO ORDERED.

DATED this 4th day of March, 2024.

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