
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

HAROLD OTTO BRYSON,

Plaintiff,

v.

KELLYE JILL POTTER; MICHAEL D.
DIREDA; and SCOTT M. HADLEY,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 1:12-cv-00202-JNP-JCB

Judge Jill N. Parrish

Magistrate Judge Jared C. Bennett issued a Report and Recommendation that the court deny plaintiff Harold Otto Bryson's motion to reopen his case (ECF No. 34). ECF No. 37. Judge Bennett notified Bryson that a failure to file a timely objection to his recommendation could waive any objections to it. No objection was filed within the allotted time.

Because Bryson did not object to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and **ADOPTS IN FULL** the Report and Recommendation.

Accordingly, the court **ORDERS** as follows:

1. The Report and Recommendation, ECF No. 37, is **ADOPTED IN FULL**.
2. Bryson's motion to reopen his case, ECF No. 34, is **DENIED**.

DATED July 14, 2022.

BY THE COURT:

A handwritten signature in purple ink that reads "Jill N. Parrish". The signature is written in a cursive style with a prominent loop at the beginning of the first name.

JILL N. PARRISH
United States District Judge