

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

BRADY EAMES,
Plaintiff,

vs.

THE ADMINISTRATIVE COMMITTEE OF
THE FEDERAL REGISTER; THE OFFICE
OF THE FEDERAL REGISTER; and THE
NATIONAL ARCHIVES AND RECORDS
ADMINISTRATION,
Defendants.

ORDER ADOPTING
REPORT & RECOMMENDATION

Case No. 1:15-CV-21

Judge Dee Benson

Before the court is the Report and Recommendation issued by United States Magistrate Judge Paul M. Warner on March 16, 2016, recommending that Defendants' motion to dismiss be GRANTED and that Plaintiff's motion for leave to amend to include supplemental claims be DENIED.

By court Order dated May 5, 2016, the parties were notified of their right to file objections to the Report and Recommendation, and were specifically instructed that any objection must be filed by May 23, 2016. The court further notified the parties that “failure to object may constitute waiver of objections upon subsequent review.” (Dkt. No. 39, Order of May 5, 2016.)

Despite being notified of the right to file objections to the Report and Recommendation, neither party has done so. Instead, Plaintiff filed a “Motion for Injunction to Immediately Make Certain Case Law Reporters Accessible to me for Free Use in the Federal Regional Depository Library of Utah so I Can Engage in Fair Litigation.” (Dkt. No. 40.) The parties fully briefed the motion, and the court denied Plaintiff’s motion for injunctive relief. (Dkt. No. 43.)

Plaintiff’s motion for injunctive relief is not a substitute for filing an objection. However, even if this court were to construe Plaintiff’s pro se motion for injunctive relief as a timely objection to the Report and Recommendation, it would not alter the court’s decision to adopt the Report and Recommendation.

Having reviewed all relevant materials, including Plaintiff’s motion, the record that was before the magistrate judge, and the reasoning set forth in the magistrate judge’s Report and Recommendation, the court agrees with the analysis and conclusion of the magistrate judge. More specifically, the court agrees with the magistrate judge’s conclusion that Plaintiff fails to allege sufficient facts to establish standing, and that the motion to dismiss should be granted.

Accordingly, the court ADOPTS the Report and Recommendation and issues the following Order:

(1) Defendants' Motion to Dismiss is GRANTED; and

(2) Plaintiff's Motion for Leave to Amend to Include Supplemental Claims is DENIED.

IT IS SO ORDERED.

Dated this 23rd day of June, 2016.

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive style with a horizontal line underneath it.

Dee Benson
United States District Judge