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

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PARKER MALMSTROM and CRYSTAL  
MALMSTROM,

Plaintiffs,

v.

STATE OF UTAH DEPARTMENT OF  
CHILDREN AND FAMILIES, et al.,

Defendants.

**MEMORANDUM DECISION AND  
ORDER ADOPTING [101] REPORT  
AND RECOMMENDATION**

Case No. 1:17-cv-80-DN-EJF

District Judge David Nuffer

Magistrate Judge Evelyn J. Furse

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The Report and Recommendation<sup>1</sup> issued by United States Magistrate Judge Evelyn J. Furse on January 11, 2018 recommends<sup>2</sup> that Plaintiffs' Motion to Enter Default Judgement [sic] against Defendant Jill Coil<sup>3</sup> be denied.

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to [28 U.S.C. § 636](#) and [Fed. R. Civ. P. 72](#).<sup>4</sup> As Plaintiffs were mailed a copy of the Report and Recommendation, they were provided an additional three days to file their objection under [Fed. R. Civ. P. 6\(d\)](#). Because the last day of the 17 day period to file an objection would have been Sunday, January 28, 2018, the objection period was extended one day until the end of Monday, January 29, 2018 under [Fed. R. Civ. P. 6\(a\)\(1\)\(C\)](#).

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<sup>1</sup> Report and Recommendation: Plaintiffs' Motion for Default Judgment (ECF No. 25), [docket no. 101](#), filed January 11, 2017.

<sup>2</sup> Report and Recommendation at 3.

<sup>3</sup> Plaintiffs' Motion to Enter Default Judgement [sic], [docket no. 25](#), filed June 9, 2017.

<sup>4</sup> Report and Recommendation at 3.

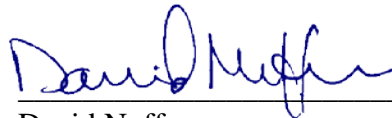
On January 30, 2018, Plaintiffs filed a document entitled “Objection to Magistrate’s Decision and Order Or Motion to Set Aside Magistrate’s [sic].”<sup>5</sup> The document does not specify which Report and Recommendation is the subject of the objection and the content of the document bears no relation to this Report and Recommendation. The filing<sup>6</sup> is also untimely as to this Report and Recommendation. Because no party filed a timely written objection to the Report and Recommendation as provided by court rules,<sup>7</sup> and because the analysis and conclusion of the Magistrate Judge are sound, the Report and Recommendation<sup>8</sup> is adopted in its entirety.

**ORDER**

IT IS HEREBY ORDERED that the Report and Recommendation<sup>9</sup> is ADOPTED and Plaintiffs’ Motion to Enter Default Judgement [sic] against Defendant Jill Coil<sup>10</sup> is DENIED.

Signed February 7, 2018.

BY THE COURT



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David Nuffer  
United States District Judge

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<sup>5</sup> [Docket no. 107](#), filed January 30, 2018.

<sup>6</sup> *Id.*

<sup>7</sup> See [28 U.S.C. § 636](#) and [Fed. R. Civ. P. 72](#)

<sup>8</sup> Report and Recommendation: Plaintiffs’ Motion for Default Judgment (ECF No. 25), [docket no. 101](#), filed January 11, 2017.

<sup>9</sup> Report and Recommendation: Plaintiffs’ Motion for Default Judgment (ECF No. 25), [docket no. 101](#), filed January 11, 2017.

<sup>10</sup> Plaintiffs’ Motion to Enter Default Judgement [sic], [docket no. 25](#), filed June 9, 2017.