
**THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

AARON R. GARCIA,

Plaintiff,

v.

**JOSEPH WILSON; ABREGO KA; T.
O'DOHERTY; PAUL RIMMASCH;
JESSICA PONTIUS; JORDEN NIELSEN;
RICHARD CHILDRESS, OGDEN CITY;
and WEBER COUNTY,**

Defendants.

**ORDER ADOPTING [47] REPORT AND
RECOMMENDATION**

Case No. 1:23-cv-00131-DBB-DAO

District Judge David Barlow

Magistrate Judge Daphne A. Oberg

The Report and Recommendation¹ issued by United States Magistrate Judge Daphne A. Oberg on December 9, 2024 recommends the court (i) grant the Ogden City Defendants'² motion to dismiss;³ (ii) grant the Weber County Defendants'⁴ motion for judgment on the pleadings;⁵ and (iii) dismiss the case without prejudice.⁶ Mr. Garcia was notified of his right to file objections to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72.⁷ As of the date of this order, Mr. Garcia did not file an objection. Because the specified deadline has passed without the filing of a written

¹ R. & R., ECF No. 47, filed December 9, 2024.

² The Ogden City Defendants are Ogden City and Ogden City Police Officers Joseph Wilson, Abrego Ka, T. O'Doherty, Jordan Nielsen, and Richard Childress.

³ ECF No. 37, filed June 12, 2024.

⁴ The Weber County Defendants are Weber County and Weber County employees Paul Rimmasch and Jessica Pontius.

⁵ ECF No. 40, filed July 9, 2024.

⁶ R. & R. 17.

⁷ *Id.*

objection, and because Magistrate Judge Oberg's analysis and conclusion are sound, the court ADOPTS the Report and Recommendation. Accordingly, (i) the Ogden City Defendants' motion to dismiss is GRANTED; (ii) the Weber County Defendants' motion for judgment on the pleadings is GRANTED; and (iii) Plaintiff's case is DISMISSED without prejudice.

Signed January 3, 2025.

BY THE COURT

A handwritten signature in black ink, appearing to read 'David Barlow', written over a horizontal line.

David Barlow
United States District Judge