

FILED  
U.S. DISTRICT COURT

2010 DEC - 7 A 9:28

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

---

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH - CENTRAL DIVISION

---

JEFFERY B. LARSEN,

Plaintiff,

vs.

DRIVE FINANCIAL SERVICES,

Defendant.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Case No. 2:08-CV-933-DB

Judge Dee Benson

Before the court is the Report and Recommendation issued by United States Magistrate Judge Samuel Alba on November 15, 2010, recommending that Plaintiff's case be dismissed for failure to prosecute.

On September 14, 2010, the court entered an Order to Show Cause directing Plaintiff to respond within 30 days explaining why his Complaint should not be dismissed for failure to prosecute. The court informed Plaintiff that failure to respond would result in dismissal of this case. (Doc. 18.) Plaintiff failed to respond to the Order to Show Cause. Moreover, the parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it, and neither the Plaintiff nor the Defendant filed a timely objection. (Doc. 20).

Objections to a magistrate judge's findings or recommendations are reviewed de novo.

28 U.S.C. § 636. After carefully evaluating all relevant materials, including the parties' briefs, and the reasoning set forth in the magistrate judge's Report and Recommendation, the court **ADOPTS** the Report and Recommendation and **DISMISSES** Plaintiff's case for failure to prosecute.

**IT IS SO ORDERED.**

DATED this 6<sup>th</sup> day of December, 2010.



---

Dee Benson  
United States District Judge