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

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FRANCOIS COEUR,

Plaintiff,

v.

FRED BUCK,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:17-CV-1168

Judge Robert J. Shelby

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Francois Coeur filed a pro se Complaint<sup>1</sup> on December 1, 2017, against Fred Buck, a Justice of the Peace in Texas. Coeur asserts claims of negligence and harassment against Buck based on a fine that Buck assessed against Coeur in an action related to his commercial driver's license. The court referred the case to Chief Magistrate Judge Paul M. Warner pursuant to 28 U.S.C. § 636(b)(1)(B).<sup>2</sup>

On June 5, 2018, Judge Warner issued a Report and Recommendation<sup>3</sup> stating that the Complaint should be dismissed with prejudice because (1) the *Rooker-Feldman* doctrine divests this court of subject matter jurisdiction, (2) venue in this district is improper, and (3) the court lacks personal jurisdiction over Buck.

Under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), a party has fourteen days from receipt of a Report and Recommendation to file an objection. Neither party has done so. Where neither party objects, the court analyzes whether the Report and

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<sup>1</sup> Dkt. 4.

<sup>2</sup> Dkt. 5.

<sup>3</sup> Dkt. 9.

Recommendation was clearly erroneous.<sup>4</sup> Under this standard, the court will affirm the Magistrate Judge's ruling unless the court "is left with the definite and firm conviction that a mistake has been committed."<sup>5</sup>

After carefully reviewing the briefing, record, and relevant legal authorities, the court concludes that Judge Warner did not clearly err in analyzing Coeur's Complaint. The court therefore ADOPTS the Recommendation and DISMISSES Coeur's Complaint with prejudice. The Clerk of Court is ordered to close the case.

**SO ORDERED** this 2nd day of July, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', written over a horizontal line.

ROBERT J. SHELBY  
United States District Judge

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<sup>4</sup> *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1464 (10th Cir. 1988).

<sup>5</sup> *Id.*