UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARTURO MARTINEZ BAÑOS, et al., Plaintiffs-Petitioners, v. NATHALIE ASHER, et al., Defendants-Respondents.	CASE NO. C16-1454JLR-BAT ORDER ADOPTING REPORT AND RECOMMENDATION

I. INTRODUCTION

This matter comes before the court on the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida (R&R (Dkt. # 67)) and Defendants-Respondents Nathalie Asher, Lowell Clark, Thomas D. Homan, John F. Kelly, James McHenry, and Jefferson B. Sessions's (collectively, "the Government") objections thereto (Objections (Dkt. # 68)). Having carefully reviewed all of the

//

foregoing, along with all other relevant documents, and the governing law, the court ADOPTS the Report and Recommendation (Dkt. # 67).

II. STANDARD OF REVIEW

A district court has jurisdiction to review a Magistrate Judge's report and recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." *Id.* "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). The court reviews de novo those portions of the report and recommendation to which specific written objection is made. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). "The statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise." *Id.*

III. DISCUSSION

The Government's objections do not raise any novel issue that was not addressed by Magistrate Judge Tsuchida's Report and Recommendation. Moreover, the court has thoroughly examined the record before it and finds the Magistrate Judge's reasoning persuasive in light of that record. Accordingly, the court independently rejects the Government's arguments made in its objections for the same reasons as Magistrate Judge Tsuchida did.

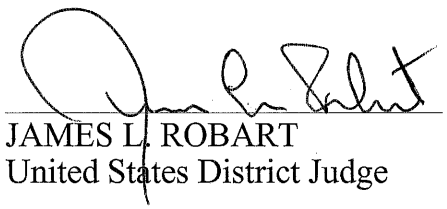
//

//

IV. CONCLUSION

For the foregoing reasons, the court ADOPTS the Report and Recommendation (Dkt. # 67) in its entirety. The court DIRECTS the Clerk to send copies of this Order to the parties and to the Honorable Brian A. Tsuchida.

Dated this 11th day of December, 2017.



JAMES L. ROBART
United States District Judge