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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CRYSTAL L. COX,

Plaintiff,

v.

MARC J. RANDAZZA, et al.,

Defendants.

Case No. 2:13-cv-00297-MMD-VCF

ORDER

Before the Court are Plaintiff Crystal L. Cox's objection to Minute Order dated May 6, 2013 (dkt. no. 20), and the Report and Recommendation of United States Magistrate Judge Cam Farenbach (dkt. no. 21) ("Recommendation") relating to Plaintiff's Complaint. No objection to the Recommendation has been filed.

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the

1 standard of review employed by the district court when reviewing a report and
2 recommendation to which no objections were made); *see also Schmidt v. Johnstone*,
3 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in
4 *Reyna-Tapia* as adopting the view that district courts are not required to review "any
5 issue that is not the subject of an objection."). Thus, if there is no objection to a
6 magistrate judge's recommendation, then the court may accept the recommendation
7 without review. *See, e.g., Johnstone*, 263 F. Supp. 2d at 1226 (accepting, without
8 review, a magistrate judge's recommendation to which no objection was filed).

9 Plaintiff filed her motion to proceed in forma pauperis and her complaint on
10 February 26, 2013. (Dkt. nos. 1, 2.) Before the Court had a chance to decide her
11 request to proceed in forma pauperis and screen her complaint, Plaintiff filed a number
12 of motions (dkt. nos. 7-17). The Magistrate Judge properly denied these motions as
13 premature. Plaintiff appears to misunderstand the import of the Magistrate Judge's
14 minute order, which did not address Plaintiff's claims. Plaintiff's objection to the minute
15 order denying her previously filed motions is thus overruled.


16 The Magistrate Judge granted Plaintiff's request to proceed in forma pauperis
17 and screened her complaint. Having conducted a *de novo* review of the Magistrate
18 Judge's Recommendation, the Court finds good cause to adopt the Recommendation in
19 full.

20 It is therefore ordered that Plaintiff's objection to minute order (dkt. no. 20) is
21 overruled.

22 It is further ordered that the Report and Recommendation of Magistrate Judge
23 Cam Farenback (dkt. no. 21) is accepted and adopted in its entirety. The Honorable
24 Gloria Navarro is dismissed as a defendant with prejudice. Claims 1, 3, 5-7, 9, and 18
25 of the complaint are dismissed with prejudice. Claims 2, 4, 8, 10-17, and 19 of the
26 complaint are dismissed without prejudice. Plaintiff, if she chooses to do so, shall be
27 permitted to file an amended complaint within thirty-three (33) days from the date the
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1 Clerk mails the plaintiff a copy of this Order, or the case may be dismissed with
2 prejudice. Plaintiff is advised that under Local Rule 15-1 any amended complaint filed
3 must be complete in itself without reference to prior filings. Thus, any allegations,
4 parties, or requests for relief from prior papers that are not carried forward in the
5 amended complaint no longer will be before the Court.

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7 DATED THIS 27th day of November 2013.

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10 MIRANDA M. DU
11 UNITED STATES DISTRICT JUDGE
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