



## Spann v. Cox Communication

2024 | Cited 0 times | D. Nevada | April 12, 2024

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NICOSHALMAR SPANN,

Plaintiff, vs. COX COMMUNICATION,

Defendant.

Case No.: 2:23-cv-00093-GMN-EJY

### ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is the Report and Recommendation (“R&R ”), (ECF No. 52), from United States Magistrate Judge Elayna J. Youchah, which recommends denying without prejudice Plaintiff’s Motion for Leave to File an Amended Complaint and granting the Motion to Dismiss and Compel Arbitration.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). 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); D. Nev. R. IB 3-2(b). 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) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s R&R where no objections have been filed. See, e.g., *United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed. (See R&R, ECF No. 52) (setting April 10, 2024, deadline for objections).



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Accordingly, IT IS HEREBY ORDERED that the Report and Recommendation, (ECF No. 52), is ACCEPTED and ADOPTED in full.

The Clerk of Court is kindly requested to close the case. Dated this \_\_\_\_ day of April, 2024.

\_\_\_\_ Gloria M. Navarro, District Judge United States District Court

