



New York Life Insurance Company v. Valgora et al

2020 | Cited 0 times | D. Nebraska | December 31, 2020

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA NEW YORK LIFE INSURANCE COMPANY,

Plaintiff, vs. ANNE VALGORA,

Defendant and crossclaim defendant, and SHIRLEY OLSON, as Personal Representative of the Estate of Steven Olson,

Defendant and crossclaimant.

4:20-CV-3073

ORDER

This matter is before the Court on the Magistrate Judge's findings and recommendation (filing 18) recommending that the plaintiff, having interpleaded disputed funds with the Court, be dismissed from this action, and that the case be administratively closed pending resolution of state court proceedings. No party has objected to the findings and recommendation. 28 U.S.C. § 636(b)(1) provides for de novo review only when a party objected to the magistrate's findings or recommendations. See *Peretz v. United States*, 501 U.S. 923, 939 (1991). The failure to file an objection eliminates not only the need for de novo review, but any review by the Court. *Thomas v. Arn*, 474 U.S. 140, 149-51 (1985); *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th

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Cir. 2009), see *Daley v. Marriott Int'l, Inc.*, 415 F.3d 889, 893 (8th Cir. 2005). Accordingly, the Court will adopt the findings and recommendation.

IT IS ORDERED:

1. The Magistrate Judge's findings and recommendation (filing 18) are adopted.



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2. New York Life Insurance Company is terminated as a party to this case.

3. This case is administratively closed pending resolution of State v. Anne M. Valgora, Case No. CR 19-651, in the District Court of Sarpy County, Nebraska.

4. Counsel for Valgora is directed to report to the Court every 6 months regarding the status of the state court proceedings.

5. The Clerk of the Court shall set an initial status report deadline of July 1, 2021.

Dated this 31st day of December, 2020.

BY THE COURT:

John M. Gerrard Chief United States District Judge 4:20-cv-03073-JMG-CRZ Doc # 20 Filed: 12/31/20
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