IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Alfredo Bruce Martinez,

Plaintiff,

v.

Charles L Ryan, et al.,

Defendants.

No. CV-19-04449-PHX-DLR (JFM)

ORDER

Before the Court is United States Magistrate Judge James F. Metcalf's Report and Recommendation ("R&R") recommending that the Court dismiss this action without prejudice for Plaintiff's failure to prosecute pursuant to Rules 16(f) and 41(b) of the Federal Rules of Civil Procedure. (Doc. 169.) The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (failing to timely object to an R&R waives review of that R&R).

Neither party filed objections, which relieves the Court of its obligation to review the R&R. Still, the Court reviewed the R&R and finds it well-taken. The Court accepts the R&R in its entirety. *See* 28 U.S.C. § 636(b)(1) (stating that the district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate"); Fed. R. Civ. P. 72(b)(3).

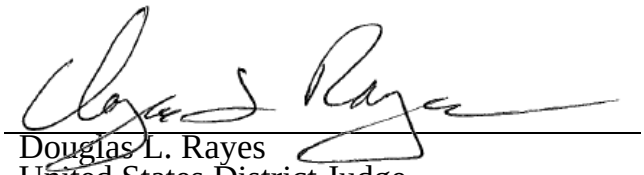
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IT IS ORDERED that the R&R (Doc. 169) is **ACCEPTED**.

IT IS FURTHER ORDERED the reference of this case to the Magistrate Judge is **WITHDRAWN**, and this action shall be **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Clerk of the Court enter judgment accordingly and terminate this case.

Dated this 6th day of July, 2022.



Douglas L. Rayes
United States District Judge