

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

David Irizarry v. Fitness 19

Irizarry · No. 1:25-cv-02141-CL · Decided March 11, 2026

SUMMARY

The United States District Court for the District of Oregon adopts a magistrate judge's Findings and Recommendation recommending dismissal of David Irizarry's amended complaint against Fitness 19. Because no objections were filed and the court found no clear error, the case was dismissed.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Ann Aiken
JURISDICTION	United States District Court for the District of Oregon
DECIDED	March 11, 2026
DOCKET	1:25-cv-02141-CL
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Findings and Recommendation recommending dismissal of the amended complaint. No party filed timely objections.
STANDARD OF REVIEW	For portions of a magistrate judge's findings and recommendations to which objections are made, the district court must conduct de novo review under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3). When no timely objections are filed, review is not required, but the court may review sua sponte; the Advisory Committee Notes recommend review for clear error on the face of the record.
PRECEDENTIAL VALUE	Unpublished district court order

TOPICS

civil procedure

motions to dismiss

pleadings

PRACTICE AREAS

civil procedure

federal magistrate judge practice

QUESTIONS PRESENTED

1. What standard of review should the district court apply to a magistrate judge's Findings and Recommendation when no timely objections are filed?
2. Whether the Findings and Recommendation recommending dismissal of the amended complaint should be adopted and the case dismissed.

HOLDINGS

1. When no timely objections are filed, the district court is not required to review the magistrate judge's recommendation, but may review it sua sponte; the court reviewed the recommendation for clear error on the face of the record.
2. The Findings and Recommendation was adopted, and the case was dismissed because the court found no clear error.

KEY QUOTATIONS

“Although no review is required in the absence of objections, the Magistrates Act “does not preclude further review by the district judge[] sua sponte . . . under a de novo or any other standard.””

“The Court has reviewed the F&R and finds no clear error. The F&R is therefore ADOPTED and this case is DISMISSED.”

FACTUAL BACKGROUND

The case involved an amended complaint filed by David Irizarry against Fitness 19. A magistrate judge recommended that the amended complaint be dismissed. The parties did not file objections to the Findings and Recommendation before the objection period expired.

PROCEDURAL HISTORY

Magistrate Judge Mark Clarke issued Findings and Recommendation recommending dismissal of the amended complaint. After the objection period expired without objections, District Judge Ann Aiken reviewed the recommendation for clear error, found none, adopted it, and dismissed the case.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 152 (1985)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON MEDFORD
DIVISION DAVID IRIZARRY, Case No. 1:25-cv-02141-CL Plaintiff, ORDER v. FITNESS 19,

Defendant. AIKEN, District Judge: Magistrate Judge Mark Clarke has filed a Findings and Recommendation (“F&R”) recommending that the Amended Complaint be dismissed. ECF No. 6.

Under the Federal Magistrates Act, 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). If a party files objections to a magistrate judge’s findings and recommendations, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.*; Fed.

R. Civ. P. 72(b)(3). For those portions of a magistrate judge’s findings and recommendations to which neither party has objected, the Act does not prescribe any standard of review. See *Thomas v. Arn*, 474 U.S. 140, 152 (1985) (“There is no indication that Congress, in enacting [the Act], intended to require a district judge to review a magistrate’s report to which no objections are filed.”).

Although no review is required in the absence of objections, the Magistrates Act “does not preclude further review by the district judge[] sua sponte... under a de novo or any other standard.” *Id.* at 154. The Advisory Committee Notes to Fed. R. Civ. P. 72(b) recommend that “[w]hen no timely objection is filed,” the court should review the recommendation for “clear error on the face of the record.” In this case, no party has filed objections and the time for doing so has passed.

The Court has reviewed the F&R and finds no clear error. The F&R is therefore ADOPTED and this case is DISMISSED. It is so ORDERED and DATED this __1_1__th__ day of March 2026.
/s/Ann Aiken ANN AIKEN United States District Judge