

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Enricque Franco v. Dax Lopez, et al.

Franco · No. 2:24-cv-02261-RFB-BNW · Decided January 7, 2026

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 DISTRICT OF NEVADA 6 * * * 7 ENRICQUE
FRANCO, Case No. 2:24-cv-02261-RFB-BNW 8 Plaintiff, ORDER 9 v. 10 DAX LOPEZ, et al.,
11 Defendants. 12 13 14 Before the Court for consideration is the Report and Recommendation
(ECF No. 8) of the 15 Honorable Brenda Weksler, United States Magistrate Judge, entered on
September 29, 2025.

A 16 district court “may accept, reject, or modify, in whole or in part, the findings or
recommendations 17 made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific
written objections to the 18 findings and recommendations of a magistrate judge. 28 U.S.C. §
636(b)(1); Local Rule IB 3-2(a). 19 When written objections have been filed, the district court is
required to “make a de novo 20 determination of those portions of the report or specified proposed
findings or recommendations 21 to which objection is made.” 28 U.S.C. § 636(b)(1); see also
Local Rule IB 3-2(b).

Where a party 22 fails to object, however, a district court is not required to conduct “any review,”
de novo or 23 otherwise, of the report and recommendations of a magistrate judge. *Thomas v. Arn*,
474 U.S. 140, 24 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due by October
10, 2025. No 25 objections have been filed.

The Court has reviewed the record in this case and concurs with the 26 Magistrate Judge’s
recommendation in the Report and Recommendation. 27 /// 28 ///] IT IS THEREFORE
ORDERED that the Report and Recommendation (ECF No. 8) is ACCEPTED and ADOPTED in
full. 3 IT IS FURTHER ORDERED that the following claims be DISMISSED with prejudice: 4|
Claims 1, 2, 6, and 9.

5 IT IS FURTHER ORDERED that Claim 8 is DISMISSED as improperly joined. Plaintiff
granted leave to file this claim in a separate suit should he choose to do so. 7 IT IS FURTHER
ORDERED that the following claims are DISMISSED without 8 | prejudice and with leave to
amend: Claims 3, 4, 5, and 7. 9 10 DATED: January 7, 2026. 12 RICHARD F. BOULWARE, II
13 UNITED STATES DISTRICT JUDGE 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 -2-