

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Dr. Amberly M. Williams, M.S., Ph.D. v. Ron Noble, et al.

Williams v. Noble · No. 3:26-cv-519-YY · Decided May 22, 2026

SUMMARY

The United States District Court for the District of Oregon adopts a magistrate judge’s Findings and Recommendation after no party filed objections. The court dismisses the complaint without prejudice and determines that any appeal would not be taken in good faith, warranting revocation of in forma pauperis status.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Michael H. Simon
JURISDICTION	United States District Court for the District of Oregon
DECIDED	May 22, 2026
DOCKET	3:26-cv-519-YY
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Findings and Recommendation recommending sua sponte dismissal without prejudice. No party filed objections, and defendants had not been served.
STANDARD OF REVIEW	When no timely objection is filed to a magistrate judge's findings and recommendation, the district court reviews the recommendation for clear error on the face of the record. De novo review is required for portions to which a party objects.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown

TOPICS

- motions to dismiss
- civil procedure
- remedies

PRACTICE AREAS

- civil procedure
- federal courts
- in forma pauperis proceedings

QUESTIONS PRESENTED

1. What standard of review applies when no party objects to a magistrate judge's findings and recommendation?
2. Whether the magistrate judge's recommendation to dismiss the complaint without prejudice should be adopted.
3. Whether any appeal from the dismissal would be frivolous and therefore not taken in good faith under 28 U.S.C. § 1915(e)(2).

HOLDINGS

1. When no party objects to a magistrate judge's findings and recommendation, the district court reviews the recommendation for clear error on the face of the record; de novo review is not required.
2. Because no clear error appeared on the face of the record, the district court adopted the Findings and Recommendation and dismissed plaintiff's complaint without prejudice.
3. Any appeal from the order would be frivolous and therefore would not be taken in good faith under 28 U.S.C. § 1915(e)(2).

KEY QUOTATIONS

"No such error is apparent. The Court ADOPTS Judge You's Findings and Recommendation, ECF 6. The Court DISMISSES Plaintiff's Complaint, ECF 2, without prejudice." (Order)

"No party having made objections, the Court follows the recommendation of the Advisory Committee and reviews Judge You's Findings and Recommendation for clear error on the face of the record." (Order)

"The Court further finds that any appeal from this Order would be "frivolous" as that term is used in 28 U.S.C. § 1915(e)(2) and thus would not be taken in "good faith" as that term is used in the statute." (Order)

FACTUAL BACKGROUND

The opinion provides little substantive factual background concerning the underlying claims. The complaint had been filed, but defendants had not yet been served. The magistrate judge recommended sua sponte dismissal without prejudice, and plaintiff did not object.

PROCEDURAL HISTORY

United States Magistrate Judge Youlee Yim You issued Findings and Recommendation on April 27, 2026, recommending dismissal without prejudice. Plaintiff filed no objections. The district court reviewed the recommendation for clear error, found none, adopted it, dismissed the complaint without prejudice, and determined that any appeal would not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 152, 154 (1985)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc)
- Coppedge v. United States, 369 U.S. 438, 445 (1962)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON DR. AMBERLY M. WILLIAMS, Case No. 3:26-cv-519-YY M.S., PH.D, ORDER Plaintiff, v. RON NOBLE, et al., Defendants. Michael H. Simon, District Judge. United States Magistrate Judge Youlee Yim You issued Findings and Recommendation in this case on April 27, 2026. Judge You recommended that this Court sua sponte dismiss this case without prejudice.

Defendants have not yet been served. Plaintiff did not file objections. Under the Federal Magistrates Act (“Act”), the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). If a party objects 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). If no party objects, 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.”); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir.

2003) (en banc) (holding that the court must review de novo magistrate judge’s findings and recommendations if objection is made, “but not otherwise”). Although review is not required in the absence of objections, the Act “does not preclude further review by the district judge[] sua sponte... under a de novo or any other standard.” Thomas, 474 U.S. at 154. Indeed, the Advisory Committee Notes to Rule 72(b) of the Federal Rules of Civil Procedure recommend that “[w]hen no timely objection is filed,” the court review the magistrate judge’s findings and recommendations for “clear error on the face of the record.” No party having made objections, the Court follows the recommendation of the Advisory Committee and reviews Judge You’s Findings and Recommendation for clear error on the face of the record.

No such error is apparent. The Court ADOPTS Judge You’s Findings and Recommendation, ECF 6. The Court DISMISSES Plaintiff’s Complaint, ECF 2, without prejudice. The Court further finds that any appeal from this Order would be “frivolous” as that term is used in 28 U.S.C. § 1915(e)(2) and thus would not be taken in “good faith” as that term is used in the statute.

See Coppedge v. United States, 369 U.S. 438, 445 (1962). Accordingly, Plaintiff’s in forma pauperis status should be revoked. IT IS SO ORDERED. DATED this 22nd day of May, 2026. /s/

Michael H. Simon Michael H. Simon United States District Judge

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