

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

OPINION

Noble

PER CURIAM.

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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