

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Daniel A. Hughes v. Portland Police Bureau et al.

Hughes · No. 3:24-cv-01657-CL · Decided December 16, 2025

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON
PORTLAND DIVISION DANIEL A. HUGHES, Civ. No. 3:24-cv-01657-CL Plaintiff, ORDER v.
PORTLAND POLICE BUREAU et al., Defendants.

____ AIKEN, District Judge: Before the Court is a Findings and Recommendation (“F&R”) opinion filed by Magistrate Judge Mark D. Clarke, ECF No. 4.

Judge Clarke recommends that the Court DISMISS the action for failure to prosecute. No objections were filed. The Court ADOPTS Judge Clarke’s F&R, ECF No. 4. 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 150. 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 objections were filed.

The F&R, ECF No. 4, is ADOPTED. The action is DISMISSED for failure to prosecute. It is so ORDERED and DATED this 16 day of December 2025. /s/Ann Aiken ANN AIKEN
United States District Judge