

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Joseph J. Lee v. Scott Haynes

Lee v. Haynes, No. 3:25-cv-637-SB (D. Or. Apr. 29, 2026) · No. 3:25-cv-637-SB · Decided April 29, 2026

SUMMARY

The United States District Court for the District of Oregon adopted a magistrate judge’s Findings and Recommendation recommending dismissal for lack of prosecution. The court granted the defendant’s motion to dismiss for failure to prosecute and failure to comply with a court order, denied as moot the motion to dismiss for failure to state a claim, and dismissed the case without prejudice.

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	April 29, 2026
DOCKET	3:25-cv-637-SB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendation recommending dismissal for lack of prosecution and failure to comply with a court order. No party filed objections.
STANDARD OF REVIEW	Because no party objected to the magistrate judge's findings and recommendation, the court reviewed the recommendation for clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Joseph J. Lee v. Scott Haynes

TOPICS

- motions to dismiss
- civil procedure
- pleadings

PRACTICE AREAS

- civil procedure
- federal courts

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 for failure to prosecute and failure to comply with a court order contained clear error.
3. Whether Defendant's Rule 12 motion to dismiss for failure to state a claim should be denied as moot after dismissal on other grounds.

HOLDINGS

1. When no party objects to a magistrate judge's findings and recommendation, the district court is not required by the Federal Magistrates Act to conduct de novo review; the court may review the recommendation sua sponte and, in this case, reviews it for clear error on the face of the record.
2. The court found no clear error in the magistrate judge's recommendation and dismissed the case without prejudice for failure to prosecute and failure to comply with a court order.
3. The court denied as moot Defendant's Rule 12 motion to dismiss for failure to state a claim because the action was dismissed on failure-to-prosecute and failure-to-comply grounds.

KEY QUOTATIONS

“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.””

“No party having made objections, the Court follows the recommendation of the Advisory Committee and reviews Judge Beckerman’s Findings and Recommendation for clear error on the face of the record.”

FACTUAL BACKGROUND

The opinion indicates that Plaintiff failed to prosecute the action and failed to comply with a court order. Defendant moved to dismiss for failure to prosecute and failure to comply with a court order, and separately moved under Rule 12 to dismiss for failure to state a claim. The court's order does not provide additional underlying factual allegations.

PROCEDURAL HISTORY

United States Magistrate Judge Stacie F. Beckerman issued Findings and Recommendation on March 20, 2026, recommending that the court grant Defendant's motion to dismiss for lack of prosecution, deny as moot Defendant's motion to dismiss for failure to state a claim, and dismiss the action without prejudice. With no objections filed, District Judge Michael H. Simon reviewed the recommendation for clear error, found none, adopted it, granted Defendant's motion to dismiss for failure to prosecute and failure to comply with a court order, denied as moot the Rule 12 motion, and dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

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

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON JOSEPH J. LEE, Case No. 3:25-cv-637-SB Plaintiff, ORDER v. SCOTT HAYNES, Defendant. Michael H. Simon, District Judge. United States Magistrate Judge Stacie F. Beckerman issued Findings and Recommendation in this case on March 20, 2026. Judge Beckerman recommended that this Court grant Defendant's motion to dismiss for lack of prosecution, deny as moot Defendant's motion to dismiss for failure to state a claim, and dismiss this case without prejudice.

No party has filed 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 Beckerman's Findings and Recommendation for clear error on the face of the record.

No such error is apparent. The Court ADOPTS Judge Beckerman's Findings and Recommendation, ECF 24. The Court GRANTS Defendant's Motion to Dismiss for Failure to Prosecute and Failure to Comply with Court Order, ECF 22, and DENIES AS MOOT Defendant's Rule 12 Motion to Dismiss (for failure to state a claim), ECF 17.

The Court DISMISSES this case without prejudice. IT IS SO ORDERED. DATED this 29th day of April, 2026. /s/ Michael H. Simon Michael H. Simon United States District Judge

