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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF ARIZONA**
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11 Russell B Toomey,
12 Plaintiff,

13 v.

14 State of Arizona, et al.,
15 Defendants.
16

No. CV-19-00035-TUC-RM (LAB)

ORDER

17 On May 12, 2020, Magistrate Judge Leslie A. Bowman issued a Report and
18 Recommendation (Doc. 105) recommending that this Court grant Plaintiff's Motion to
19 Certify Class (Doc. 88). No objections to the Report and Recommendation were filed.

20 A district judge must "make a de novo determination of those portions" of a
21 magistrate judge's "report or specified proposed findings or recommendations to which
22 objection is made." 28 U.S.C. § 636(b)(1). The advisory committee's notes to Rule 72(b)
23 of the Federal Rules of Civil Procedure state that, "[w]hen no timely objection is filed, the
24 court need only satisfy itself that there is no clear error on the face of the record in order to
25 accept the recommendation" of a magistrate judge. Fed. R. Civ. P. 72(b) advisory
26 committee's note to 1983 addition. *See also Johnson v. Zema Sys. Corp.*, 170 F.3d 734,
27 739 (7th Cir. 1999) ("If no objection or only partial objection is made, the district court
28 judge reviews those unobjected portions for clear error."); *Prior v. Ryan*, CV 10-225-TUC-

1 RCC, 2012 WL 1344286, at *1 (D. Ariz. Apr. 18, 2012) (reviewing for clear error
2 unobjected-to portions of Report and Recommendation).

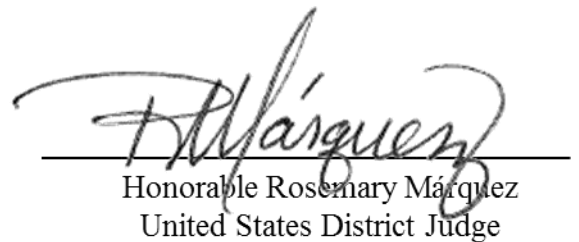
3 The Court has reviewed Judge Bowman's Report and Recommendation, the parties'
4 briefs, and the record. The Court finds no error in Judge Bowman's Report and
5 Recommendation. Accordingly,

6 **IT IS ORDERED** that the Report and Recommendation (Doc. 105) is **accepted**
7 **and adopted in full.**

8 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Certify Class (Doc. 88) is
9 **granted.**

10 Dated this 15th day of June, 2020.

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Honorable Rosemary Márquez
United States District Judge