

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
ELKINS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Criminal Action No. 2:17-CR-15-2
(BAILEY)**

ROCKY DOUGLAS IDLEMAN,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day, the above-styled matter came before this Court upon consideration of the Report and Recommendation of United States Magistrate Judge Michael John Aloï. By Local Rule, this action was referred to Magistrate Judge Aloï for submission of a proposed report and a recommendation ("R&R"). Magistrate Judge Aloï filed his R&R on January 16, 2018 [Doc. 441]. In that filing, the magistrate judge recommended that this Court deny the Defendant's Motion to Suppress [Doc. 335].

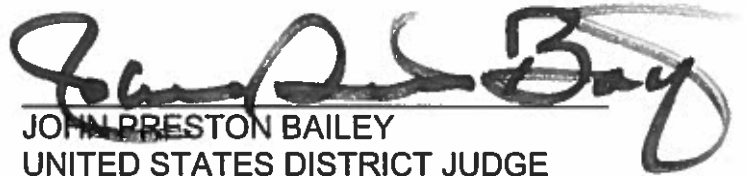
Pursuant to 28 U.S.C. § 636(b)(1)(c), this Court is required to make a *de novo* review of those portions of the magistrate judge's findings to which objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. ***Thomas v. Arn***, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections constitutes a waiver of *de novo* review and the right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); ***Snyder v. Ridenour***, 889 F.2d 1363, 1366 (4th Cir. 1989); ***United States v. Schronce***, 727 F.2d 91, 94 (4th Cir. 1984). Here, objections to Magistrate Judge Aloï's R&R were due within

fourteen (14) days of filing of the same, pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). To date, neither objections to the R&R, nor a motion to extend the time within which to do so have been filed. Accordingly, this Court will review the R&R for clear error.

After careful consideration of the record and the motion, it is the opinion of this Court that the Report and Recommendation [Doc. 441] should be, and is, hereby **ORDERED ADOPTED**. As such, defendant Rocky Douglas Idleman's Motion to Suppress [Doc. 335] is **DENIED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: February 7, 2018.


JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE