UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
PIKEVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	No. 7:18-CR-17-REW-EBA
v.	)	
	)	
ROY C. BLANKENSHIP, SR.,	)	ORDER
	)	
Defendant.	)	

*** *** *** ***

This matter is before the Court on the Recommended Disposition (DE #68) of United States Magistrate Judge Edward B. Atkins, addressing Defendant Roy C. Blankenship's guilty plea as to Count 1 of the Indictment (DE #15). *See also* DE #59 (Minute Entry). Defendant appeared before Judge Atkins on March 11, 2019. *See id.* After consenting to plead before a United States Magistrate Judge and engaging in the full colloquy required by Rule 11, he proceeded to plead guilty. DE #68 at ¶¶ 1–2. Judge Atkins found Defendant competent to plead and that Defendant did so in a knowing and voluntary fashion; he further found that an adequate factual basis supported the plea as to each essential element of the charged offense. *Id.* at ¶ 2. Accordingly, Judge Atkins recommended that the Court accept Defendant's plea and adjudge him guilty of the offense charged in Count 1 of the Indictment. *Id.* at ¶ 3.

Defendant had ten days within which to object to Judge Atkins's recommendation, and he has not done so. *See id.* at 2–3. Nor has the United States objected. While this Court reviews *de novo* those portions of a Recommended Disposition to which a party objects, *see* 28 U.S.C. § 636(b)(1), it is not required to "review . . . a magistrate[] [judge's] factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings." *Thomas v.*

Arn, 106 S. Ct. 466, 472 (1985). Where the parties do not object to the Magistrate Judge's recommended disposition, they waive any right to review. *See* Fed. R. Civ. P 59; *United States v. White*, 874 F.3d 490, 495 (6th Cir. 2017) ("When a party . . . fails to lodge a specific objection to a particular aspect of a magistrate judge's report and recommendation, we consider that issue forfeited on appeal."); *see also United States v. Branch*, 537 F.3d 582, 587 (6th Cir. 2008) (noting that "[t]he law in this Circuit is clear" that a party who fails to object to a magistrate judge's recommendation forfeits his right to appeal its adoption).

The Court thus **ADOPTS** the Recommended Disposition (DE #68), accepts the plea, and **ADJUDGES** Roy C. Blankenship, Sr. guilty of Count 1 of the Indictment. The Court further **CANCELS** the jury trial as to this Defendant. An Order scheduling sentencing follows.

This the 26th day of March, 2019.

Signed By:
Robert E. Wier
United States District Judge