

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STEPHEN RANDALL CHRISTENSEN, JR.,)

Plaintiff,)

v.)

Case No. CIV-23-97-D

NATIONAL CENTER FOR MISSING AND)
EXPLOITED CHILDREN,)

Defendant.)

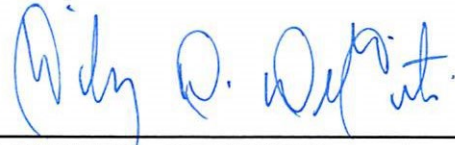
ORDER

This matter comes before the Court for review of the Report and Recommendation [Doc. No. 33] issued by United States Magistrate Judge Shon T. Erin pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Erwin recommends granting Defendant National Center for Missing and Exploited Children’s Motion for Summary Judgment [Doc. No. 18] because it is not an “agency” under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and thus Plaintiff’s FOIA action against it fails as a matter of law.

Plaintiff has not made a timely objection to the Report, even though he was advised of his right to object, the procedure for doing so, and the consequences of failing to object. The Court therefore finds that Plaintiff has waived further review. *See United States v. 2121 East 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996), *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). Further, the Court finds that Plaintiff’s FOIA action fails for the reasons stated by Judge Erwin and that Defendant is entitled to summary judgment.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 33] is **ADOPTED**. Defendant's Motion for Summary Judgment [Doc. No. 18] is **GRANTED**. All Plaintiff's motions are moot and, therefore, **DENIED**. A separate judgment shall be entered accordingly.

IT IS SO ORDERED this 22nd day of March, 2024.



TIMOTHY D. DeGIUSTI
Chief United States District Judge