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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBIN GAIL TAMORI-HOLMES,

Plaintiff,

No. 2:12-cv-1977-JAM-GGH PS

vs.

PLUMAS COUNTY MENTAL HEALTH  
SERVICES, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

On August 27, 2012, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Although it appears from the file that plaintiff's copy of the findings and recommendations was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of her current address at all times.<sup>1</sup> Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

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<sup>1</sup>Plaintiff has not communicated with the court since removing this case to federal court in July, 2012.

1           Accordingly, the court presumes any findings of fact are correct. See Orand v.  
2 United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are  
3 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.  
4 1983).

5           The court has reviewed the applicable legal standards and, good cause appearing,  
6 concludes that it is appropriate to adopt the Findings and Recommendations in full.

7           Accordingly, IT IS ORDERED that the Findings and Recommendations filed  
8 August 27, 2012, are ADOPTED and:

9           1. Defendants United States Department of Health and Human Services , United  
10 States Department of Justice, and United States Department of Defense’s motion to dismiss  
11 pursuant to Fed. R. Civ. Pro. 12(b)(6) (dkt. 4) is GRANTED and Plaintiff’s claims against these  
12 defendants are DISMISSED WITH PREJUDICE;

13           2. Defendant Division of Labor Standards Enforcement’s motion to dismiss  
14 pursuant to Fed. R. Civ. Pro. 12(b)(6) (dkt. 5) is DENIED WITHOUT PREJUDICE due to lack  
15 of subject matter jurisdiction;

16           3. The action is REMANDED to the Plumas County Superior Court;

17           4. The Clerk of Court is directed to serve a certified copy of the court’s order on  
18 the Clerk of the Plumas County Superior Court, and reference the state case number (CV11-  
19 00264) in the proof of service; and

20           5. The Clerk of Court is directed to close this case.

21 DATED: October 24, 2012

22                                 /s/ John A. Mendez

23                                 UNITED STATES DISTRICT COURT JUDGE  
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