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

JEROME CLAY,

Plaintiff,

No. 2:12-cv-2027 JAM KJN PS

vs.

AT&T COMMUNICATIONS OF
CALIFORNIA, INC., et al.,

Defendants.

ORDER

_____ /

On November 19, 2012, the magistrate judge filed findings and recommendations (dkt. no. 24) which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed.

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

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,

1 IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations (dkt. no. 24) are ADOPTED; and
3 2. Plaintiff's motion to remand the action to state court, and for an award of attorneys'
4 fees and costs, is DENIED.

5 DATED: December 13, 2012

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/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE