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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSH THOMAS,
Plaintiff,
v.
RENE WILKINSON, et al.,
Defendants.

Case No. 1:15-cv-00527-LJO-DLB PC
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF’S MOTION TO REMAND
ACTION
(Document 7)

Plaintiff Josh Thomas (“Plaintiff”) is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. The action was originally filed in the Fresno County Superior Court on April 21, 2014. Defendant Tehrani removed the action to this Court on April 2, 2015.

On April 23, 2015, Plaintiff filed “objections” to the removal. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 28, 2015, the Magistrate Judge issued [Findings and Recommendations](#) that Plaintiff’s motion to remand be denied. The Findings and Recommendations were served on the parties and contained notice that any objections must be filed within thirty days. Plaintiff filed [objections](#) on June 30, 2015.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, including Plaintiff’s objections,

1 the Court finds the Findings and Recommendations to be supported by the record and by proper
2 analysis.

3 Plaintiff mainly repeats arguments that were properly disposed of by the Magistrate Judge.
4 As the Magistrate Judge explained, Defendant Tehrani timely removed the action to this Court, and
5 he is not in default. Plaintiff is a pro se prisoner litigant and his complaint is therefore subject to the
6 screening requirements of 28 U.S.C. § 1915A. Defendant need not file a response unless and until
7 the Court screens Plaintiff's complaint and determines that it states a cognizable claim for relief.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The Findings and Recommendations, filed May 28, 2015, are adopted in full;
10 and
- 11 2. Plaintiff's motion to remand (Document 7) is DENIED. Plaintiff's complaint will be
12 screened in due course.

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14 IT IS SO ORDERED.

15 Dated: July 6, 2015

/s/ Lawrence J. O'Neill
16 UNITED STATES DISTRICT JUDGE
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