

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY HOSKINS,
Plaintiff,
v.
L. NGYEN, et al.,
Defendants.

No. 1: 17-cv-01133-DAD-SAB (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. No. 25)

Plaintiff Anthony Hoskins is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. 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 March 11, 2019, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff’s motion seeking leave to file a second amended complaint (Doc. No. 22) be denied. (Doc. No. 25.) Therein, the magistrate judge found that plaintiff’s motion failed to satisfy either the standard under Federal Rule of Civil Procedure 16 or the more lenient Rule 15 standard for seeking leave to amend. (*Id.* at 2–6.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. (*Id.* at 7.) To date, plaintiff has not filed any objections, and the time to do so has since passed.

////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly:

1. The findings and recommendations issued on March 26, 2019 (Doc. No. 25) are adopted in full;
2. Plaintiff's motion to amend his complaint (Doc. No. 22) is denied; and
3. This action is referred back to the assigned magistrate judge for further proceedings consistent with this order.

IT IS SO ORDERED.

Dated: June 5, 2019


UNITED STATES DISTRICT JUDGE