

1 because all defendants named in the action now before the Court were also named as defendants in the
2 state action. (*Id.* at 14.) The magistrate judge also noted that “Plaintiff received a final judgment on
3 the merits,” and the state court vacated the rules violation report in issue here. (*See id.*) The magistrate
4 judge found Plaintiff’s claim was barred by the doctrine of res judicata (claim preclusion) and
5 recommended Defendants’ motion to dismiss be granted. (*Id.* at 15.)

6 The Court served the Findings and Recommendations on the parties and notified them that any
7 objections were due within 14 days. (Doc. 53 at 15.) The Court advised the parties that the “failure to
8 file objections within the specified time may result in the waiver of rights on appeal.” (*Id.* at 15-16,
9 citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) No objections were filed, and the
10 time to do so has passed.¹

11 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a de novo review of this case.
12 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are
13 supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 14 1. The Findings and Recommendations dated (Doc. 53) are **ADOPTED** in full.
- 15 2. Defendants’ motion to dismiss (Doc. 42) is **GRANTED**.
- 16 3. The action is **DISMISSED** with prejudice.
- 17 4. The Clerk of Court is directed to close the case.

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19 IT IS SO ORDERED.

20 Dated: March 22, 2024


UNITED STATES DISTRICT JUDGE

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28 ¹ The USPS returned the Findings and Recommendations served upon Plaintiff as deliverable. However, Plaintiff was served at the address he provided (Doc. 52) and service is deemed “fully effective” pursuant to Local Rule 182(f).