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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JOHN M. SANCHEZ,	No. 1: 18-cv-00966-DAD-SKO
12	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS DISMISSING
13	v.	ACTION WITH PREJUDICE FOR PLAINTIFF'S FAILURE TO STATE A
14	BITER, et al.,	COGNIZABLE CLAIM
15	Defendants.	(Doc. No. 11)
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17	Plaintiff John M. Sanchez ("plaintiff"), a state prisoner proceeding pro se and in forma	
18	pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on July 18, 2018. (Doc. No.	
19	1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C.	
20	§ 636(b)(1)(B) and Local Rule 302.	
21	On March 11, 2019, the assigned magistrate judge screened the first amended complaint	
22	and issued findings and recommendations, recommending that this action be dismissed with	
23	prejudice due to plaintiff's failure to state a cognizable claim. (Doc. No. 11.) The findings and	
24	recommendations recommended that leave to amend not be granted because the defects in	
25	plaintiff's pleading were not capable of being cured through amendment. (Id. at 12.) The	
26	findings and recommendations gave plaintiff twenty-one (21) days to file objections. ( <i>Id.</i> )	
27	Plaintiff did not file objections.	
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On May 28, 2019, the court adopted the findings and recommendations in full and dismissed the action with prejudice. (Doc. No. 13.) On June 4, 2019, plaintiff filed a pleading which the court construed as a motion for reconsideration. (Doc. No. 15.) Plaintiff indicated therein that he had not received the findings and recommendations; therefore, he was unable to file objections. (*Id.*) On June 14, 2019, the court granted plaintiff's motion for reconsideration, vacated the order and judgment dismissing the action, and granted plaintiff an extension of time to file objections to the March 11, 2019 findings and recommendations. (Doc. No. 16.) On August 5, 2019, and September 16, 2019, plaintiff filed his objections. (Doc. Nos. 20, 21.)

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, the court finds the findings and recommendations to be supported by the record and by proper analysis. In his objections, plaintiff does not meaningfully dispute that his complaint fails to allege a cognizable claim and that leave to amend would be futile given that the defects in his complaint are not curable by amendment. Accordingly, the court will adopt the findings and recommendations.

Lastly, on August 5, 2019 and October 18, 2019, plaintiff filed two separate motions requesting that his case be remanded "to the lower courts." (Doc. Nos. 19, 22.) The court is confused as to what plaintiff is requesting in these motions, given that the district court *is* the lower court in the federal judicial system. Accordingly, the court will also deny plaintiff's miscellaneous motions.

For the reasons set forth above:

- 1. The findings and recommendations issued on March 11, 2019 (Doc. No. 11) are adopted in full;
- 2. This action is dismissed with prejudice due to plaintiff's failure to state a cognizable claim;

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	3. Plaintiff's motions to remand the case (Doc. Nos. 19, 22) are denied; and	
2	4. The Clerk of the Court is directed to close this case.	
3 4	IT IS SO ORDERED.  Dated: November 15, 2019  Dale A. Dayl	
5	UNITED STATES DISTRICT JUDGE	
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