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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ISRAEL MALDONADO RAMIREZ,
Plaintiff,
v.
KHALE, et al.,
Defendants.

No. 1:21-cv-01213-DAD-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 11)

Plaintiff Israel Maldonado Ramirez is a civil detainee at Atascadero State Hospital and is proceeding *pro se* and *in forma pauperis* in this civil rights action 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 September 28, 2021, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff’s case be dismissed with prejudice and without leave to amend because plaintiff’s complaint is frivolous. (Doc. No. 11.) Additionally, the assigned magistrate judge recommended that plaintiff’s motions to leave be denied.¹ (*See* Doc. Nos. 5, 6, 8.) The findings and recommendations were served on plaintiff and contained notice

¹ Plaintiff appears to mistakenly believe that there is a “federal leave” program whereby he can petition for his immediate release. (Doc. No. 11 at 5.) As stated in the pending findings and recommendations, “there is no such authority for his release from confinement.” (*Id.*) Plaintiff has since filed similar motions. (Doc. Nos. 12, 15.)

1 that any objections thereto were to be filed within twenty-one (21) days from the date of service.
2 (Doc. No. 11 at 7.) On October 27, 2021, plaintiff filed objections. (Doc. No. 13.) Those
3 objections present no coherent argument for why this court should not adopt the magistrate
4 judge's findings and recommendations.

5 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and Local Rule 304, this
6 court has conducted a *de novo* review of the case. Having carefully reviewed the entire file,
7 including plaintiff's objections, the court finds the findings and recommendations to be supported
8 by the record and by proper analysis.

9 Accordingly,

- 10 1. The findings and recommendations issued on September 28, 2021 (Doc. No. 11)
11 are adopted in full;
- 12 2. This case is dismissed with prejudice and without leave to amend;
- 13 3. Plaintiff's motions to leave (Doc. Nos. 5, 6, 8, 12, 15) are denied; and
- 14 4. The Clerk of the Court is directed to close this case.

15 IT IS SO ORDERED.

16 Dated: November 18, 2021

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19 UNITED STATES DISTRICT JUDGE
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