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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PAUL MAZZEI,
Plaintiff,
v.
MBA, *et al.*,
Defendants.

Case No. 1:24-cv-0398 JLT EPG (PC)
**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING THIS
ACTION AS BARRED BY RES JUDICATA,
AND DIRECTING THE CLERK OF COURT
TO CLOSE THE CASE**
(Doc. 10)

Paul Mazzei is a state prisoner, who seeks to hold defendants liable for violations of his civil rights, asserting physician’s assistant Sisodia and registered nurse Mba were deliberately indifferent to his serious medical needs. (*See generally* Doc. 1.) Plaintiff brought a case based on the same allegations and against the same defendants in state court (Doc. 1 at 12-13), which ruled against Plaintiff on summary judgment (*id.* at 14, 18–21); and he then appealed, unsuccessfully (*id.* at 13, 24- 26). The magistrate judge found the claims now raised by Plaintiff are barred by the doctrine of res judicata, and recommended the action be dismissed. (Doc. 10 at 3-4.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 30 days. (Doc. 10 at 5.) The Court advised Plaintiff that the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

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

1. The Findings and Recommendations issued on September 18, 2024 (Doc. 10) are **ADOPTED** in full.
2. This action is **DISMISSED** with prejudice, as barred by res judicata.
3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: October 27, 2024


UNITED STATES DISTRICT JUDGE