

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CANDACE SMITH, ) Case No.: 1:24-cv-1471 JLT HBK  
Plaintiff, )  
v. ) ORDER ADOPTING IN FULL THE FINDINGS  
CHICK-FIL-A, et al., ) AND RECOMMENDATIONS, DISMISSING THE  
Defendants. ) ACTION WITHOUT PREJUDICE, AND  
 ) DIRECTING THE CLERK OF COURT TO CLOSE  
 ) THIS CASE  
 ) (Doc. 6)  
 )

Candace Smith seeks to hold several unconnected businesses and individuals liable for violations of her rights. (*See generally* Doc. 5.) The magistrate judge screened Plaintiff's amended complaint pursuant to 28 U.S.C § 1915(e)(2)(B), and found Plaintiff failed to allege facts sufficient to invoke this Court's jurisdiction. (Doc. 6 at 3-8.) Because the Court previously informed Plaintiff of the applicable pleading and jurisdictional standards, the magistrate judge found further amendment would be futile, and recommended dismissal without leave to amend. (*Id.* at 8.)

The Court served the Findings and Recommendations on Plaintiff and notified her that any objections were due within 14 days. (Doc. 6 at 9.) The Court advised her that the “failure to file objections within the specified time may result in the waiver of certain rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) The U.S. Postal Service returned the Findings and Recommendations marked “Undeliverable, Return to Sender, Insufficient Address, Unable to Forward” on March 3, 2025. Nevertheless, the service upon Plaintiff is deemed fully

1 effective.<sup>1</sup> See Local Rule 182(f) (“Each ... pro se party is under a continuing duty to notify the Clerk  
2 and all other parties of any change of address or telephone number of the attorney or the pro se party.  
3 Absent such notice, service of documents at the prior address of the attorney or pro se party shall be  
4 fully effective.”) Plaintiff did not file objections, and the time to do so has passed.

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

- 8 1. The Findings and Recommendations dated February 13, 2025 (Doc. 6) are **ADOPTED**  
9 in full.
- 10 2. Plaintiff’s amended complaint is **DISMISSED** without leave to amend.
- 11 3. The action is **DISMISSED** without prejudice, for lack of jurisdiction.
- 12 4. The Clerk of Court is directed to close this case.

13  
14 IT IS SO ORDERED.

15 Dated: March 6, 2025

  
UNITED STATES DISTRICT JUDGE

27  
28 

---

<sup>1</sup>The U.S. Postal Service has returned all documents from the Court in this action, with the first order issued returned on December 30, 2024. Pursuant to Local Rule 183(b), Plaintiff was required to provide a notice of change of address within 63 days. To date, she has not done so.