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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARGARET FULLERTON
ROMANOV HENDERSON,

Plaintiff,

No. CIV S-09-2401 FCD EFB PS

vs.

THE GETTY AND LUK
OIL AMERIKA, et al.,

Defendants.

ORDER

On September 10, 2009, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within ten days. No objections were filed.¹

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

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¹ On October 5, 2009, plaintiff did file some exhibits, which were considered by the court. Dckt. No. 5.

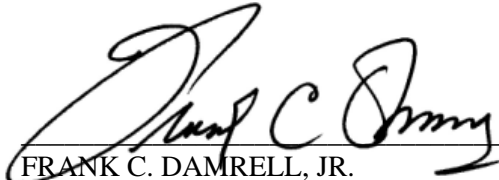
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The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed September 10, 2009, are ADOPTED;
2. This case is REMANDED to the Superior Court of the State of California in and for the County of Sacramento; and,
3. The Clerk is directed to CLOSE the case.

DATED: October 29, 2009.


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE