UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES L. MACKLIN,

Plaintiff,

v.

MATTHEW HOLLINGSWORTH, et al.,

Defendants.

No. 2:10-cv-1097-MCE-KJN

ORDER

On September 8, 2014, the magistrate judge filed findings and recommendations (ECF. No. 65) herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. On September 22, 2014, plaintiffs filed objections to the proposed findings and recommendations (ECF. No. 72). On October 9, 2014, defendant Deutsche Bank National Trust (ECF No. 77) and defendant Quality Loan Services Corporation (ECF No. 78) each filed a response to plaintiff's objections, which have been considered by the court.

This court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982); see also Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and

decides the motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). 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).

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 8, 2014, are ADOPTED;

2. Defendants Select Portfolio Servicing, Inc., Deutsche Bank National Trust Co., and Quality Loan Service Corporation's motions to dismiss the second amended complaint (ECF Nos. 45, 49) are GRANTED; and

3. Defendants Select Portfolio Servicing, Inc., Deutsche Bank National Trust Co., and Quality Loan Service Corporation are DISMISSED from this action WITH PREJUDICE.

DATED: December 24, 2014

MORRISON C. ENGLAND, JR, CHIEF JUDGE
UNITED STATES DISTRICT COURT