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

ROBERT SAUNDERS,

Plaintiff,

No. CIV-S-10-2559-GEB-KJN-PS

v.

THE COUNTY OF SACRAMENTO,
CALIFORNIA, et al.,

Defendants.

ORDER

_____ /

On July 13, 2011, the magistrate judge filed findings and recommendations (Dkt. No. 22) 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 July 27, 2011, plaintiff filed objections to the proposed findings and recommendations (Dkt. No. 23), 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

1 decides the motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th
2 Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi
3 Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

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

6 Accordingly, IT IS ORDERED that:

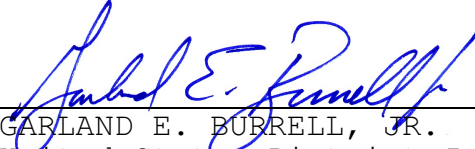
7 1. The Proposed Findings and Recommendations filed July 13, 2011, are ADOPTED;

8 2. Defendants Elaine Van Beveren and the Law Offices of Elaine Van Beveren's motion
9 to dismiss (Dkt. No. 13) is granted in part and denied in part; and

10 3. Plaintiff's claims for relief brought pursuant to 42 U.S.C. § 1983 and alleged against
11 defendants Elaine Van Beveren and the Law Offices of Elaine Van Beveren are dismissed with
12 prejudice.

13 4. Within 30 days of the date of this order, plaintiff shall file a "Second Amended
14 Complaint" as more specifically provided in the magistrate judge's Order and Findings and
15 Recommendations.

16 Dated: September 5, 2011

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GARLAND E. BURRELL, JR.
United States District Judge