

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

DENNY R. BECKER, et al.,

Plaintiffs,

No. CIV-S-10-2799-LKK-KJN-PS

vs.

WELLS FARGO BANK, NA, INC. et al.,

Defendants.

ORDER

On October 23, 2012, 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 fourteen days. No objections were filed.¹

Accordingly, the court presumes that any findings of fact are correct. 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.

¹ Plaintiff filed a document styled as a “Motion for Reconsideration,” which purported to challenge the findings and recommendations. (Dkt. No. 133.) However, plaintiff withdrew the motion. (Dkt. No. 136.)

1 Accordingly, IT IS ORDERED that:

2 1. The Proposed Findings and Recommendations filed October 23, 2012 (Dkt. No. 130),
3 are ADOPTED;

4 2. Plaintiff's "Motion for Preliminary Injunction" (Dkt. Nos. 126, 129) is denied;

5 3. To the extent plaintiff intends his "Motion for Preliminary Injunction" to serve as a
6 motion to amend his pleadings, the motion is procedurally improper and denied without
7 prejudice; and

8 4. To the extent plaintiff requests the court "accept plaintiff's request for RJN" at Docket
9 Number 43, the request is denied for the same reasons set forth above.

10 DATED: January 10, 2013.

11
12
13 

14 LAWRENCE K. KARLTON
15 SENIOR JUDGE
16 UNITED STATES DISTRICT COURT
17
18
19
20
21
22
23
24
25
26