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

BRYON ANDERSON,

Plaintiff,

No. CIV S-10-2833 LKK GGH PS

vs.

MCM CONSTRUCTION INC.,

Defendant.

ORDER

On December 17, 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.

Accordingly, the court presumes 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 Findings and Recommendations in full.

Accordingly, IT IS ORDERED that the Findings and Recommendations filed December 17, 2012, are ADOPTED and Defendant’s motion to dismiss, filed July 26, 2012,

1 (dkt. no. 29), is denied.¹

2 DATED: March 6, 2013.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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¹ The findings and recommendations also recommended that defendant be ordered to file an answer within twenty-eight (28) days of an order adopting the findings and recommendations; however, defendant has already filed an answer.