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

TERRYLYN MCCAIN

Plaintiff,

No. CIV-S-10-3170 JAM CKD PS

vs.

STOCKTON POLICE
DEPARTMENT, et al.

Defendants.

ORDER

_____ /

On October 4, 2011, 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 (14) days. Objections were filed on October 18, 2011, and they were considered by the district judge.

This court reviews de novo those portions of the proposed findings of fact to which 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). 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

1 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.
2 1983).

3 The court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the Findings and Recommendations in full. Accordingly,
5 IT IS ORDERED that:

6 1. City Defendants' motion for judgment on the pleadings (dkt. no. 54) is granted
7 with prejudice.

8 2. Defendants Adair, Gonzalez, Hughes, Reynosa, Teague, City of Stockton,
9 Stockton Police Department, and Evangelina Duran dba Brownies Towing are dismissed from
10 the case with prejudice.

11 3. The Clerk of Court is directed to close the case.

12 DATED: November 21, 2011

13 /s/ John A. Mendez
14 UNITED STATES DISTRICT JUDGE

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