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

GORDON H. FLATTUM,

Plaintiff,

CIV S-11-2711 LKK GGH PS

vs.

STATE OF CALIFORNIA DEPT.
OF CONSUMER AFFAIRS, et al.,

Defendants.

ORDER

On April 13, 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).

This court has reviewed the applicable legal standards. The scheduled date for the plaintiff’s hearing with the State of California’s Office of Administrative Hearings, June 6, 2012, has passed. However, this court has not yet received notice that the administrative proceedings in state court have concluded. For the reasons provided by the magistrate judge,

1 this court determines that it is appropriate to adopt the Findings and Recommendations in full
2 and stay this action until the administrative proceedings in state court have concluded. The
3 parties are instructed to notify the court at the conclusion of the state court proceedings.
4


5 Accordingly, IT IS ORDERED that the Findings and Recommendations filed
6 April 13, 2012, are ADOPTED and

7 1. Defendant's motion to dismiss, filed February 28, 2012, (dkt. no. 18), is denied
8 without prejudice;

9 2. Plaintiff's motion to stay proceedings, filed April 3, 2012 (dkt. no. 19), is
10 granted, but only for the reasons stated in the findings and recommendations; and

11 3. This action is stayed until the administrative proceedings in state court are
12 concluded.

13 DATED: July 6, 2012.
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17 LAWRENCE K. KARLTON
18 SENIOR JUDGE
19 UNITED STATES DISTRICT COURT
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