

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

FEDERAL HOME LOAN MORTGAGE CORPORATION,

Plaintiff,

No. 2:12-cv-3050 GEB KJN PS

vs.

JOSEPH CARTAGENAS, et al.,

Defendants.

ORDER

_____ /

On December 21, 2012, the magistrate judge filed findings and recommendations (dkt. no. 5) 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. No objections were filed.

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 findings and recommendations in full. Accordingly,

1 IT IS HEREBY ORDERED that:

2 1. The findings and recommendations (dkt. no. 5) are ADOPTED;

3 2. The action is SUMMARILY REMANDED to the San Joaquin County
4 Superior Court;

5 3. The Clerk of Court is directed to serve a certified copy of this order on the
6 Clerk of the San Joaquin County Superior Court, and reference the state case number (39-2012-
7 00285497-CL-UD-STK) in the proof of service;

8 4. Defendants' request to proceed in forma pauperis (dkt. no. 2) is DENIED AS
9 MOOT;

10 5. Plaintiff's motion to remand (dkt. no. 3) is DENIED AS MOOT; and

11 6. The Clerk of Court is directed to close this case and vacate all dates.

12 Dated: January 15, 2013

13
14 
15 GARLAND E. BURRELL, JR.
16 Senior United States District Judge
17
18
19
20
21
22
23
24
25
26