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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	DEREK TODD,	No. 2:13-cv-218-KJM-EFB PS
12	Plaintiff,	
13	v.	<u>ORDER</u>
14	JEFFREY WOOD, BAR #206399; SANDRA HOFFMAN,	
15	Defendants.	
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18	On February 8, 2013, the magistrate judge filed findings and recommendations,	
19	which were served on the parties and which contained notice that any objections to the findings	
20	and recommendations were to be filed within fourteen days. Those findings and	
21	recommendations were adopted in full by order filed June 17, 2013. ECF No. 4. On June 19,	
22 22	2013, plaintiff filed a request for a sixty-day extension of time in which to file his objections.	
23 24	That request was granted on June 28, 2013. ECF No. 6. Accordingly, the court vacated the June 17 order adopting the findings and recommendations and gave plaintiff 60 days to file his	
24 25	objections. Plaintiff timely filed objections on July 3, 2013, and the court has now considered	
23 26	them.	
27	This court reviews <i>de novo</i> those portions of the proposed findings of fact to which	
28	plaintiff has objected. 28 U.S.C. § 636(b)(1); <i>McDonnell Douglas Corp. v. Commodore Business</i>	
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1	Machines, 656 F.2d 1309, 1313 (9th Cir. 1981). As to any portion of the proposed findings of	
2	fact to which no objection has been made, the court assumes its correctness and decides the	
3	motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979).	
4	The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified	
5	Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).	
6	As the court originally noted in the order of June 17, 2013, the magistrate judge	
7	did not properly evaluate the claims against defendant Hoffman and so the court declined to adopt	
8	the findings and recommendations as to her. Plaintiff's objections do not alter this conclusion.	
9	In sum, the court adopts the Findings and Recommendations except with respect to	
10	defendant Hoffman.	
11	Accordingly, IT IS ORDERED that:	
12	1. The Findings and Recommendations filed February 8, 2013, are adopted in part	
13	and the claims against defendant Wood are dismissed;	
14	2. The Findings and Recommendations are not adopted as to defendant Hoffman	
15	and the case is referred back to the magistrate judge for screening as to this defendant; this court	
16	expresses no opinion on the adequacy of the claims against defendant Hoffman; and	
17	3. Plaintiff's request for leave to proceed in forma pauperis is granted;	
18	DATED: September 30, 2014.	
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20	MA Made a	
21	UNITED STATES DISTRICT JUDGE	
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