UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN CUSTER,

Plaintiff,

v.

PATRICK FERNANDEZ,

Defendant.

No. 2:13-cv-2059 MCE AC PS

ORDER

Plaintiff is proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On October 21, 2013, the magistrate judge filed findings and recommendations herein, ECF No. 3, which were served on all parties and which contained notice to the defendant that any objections to the findings and recommendations were to be filed within fourteen days. Defendant has not filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 21, 2013, ECF No. 3, are ADOPTED IN FULL; and

2. This case is REMANDED to the Superior Court of California, Sacramento County, for lack of jurisdiction.

IT IS SO ORDERED.

Dated: November 21, 2013

MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT