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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KATHRYN THAUT, et al.,  
Plaintiff,  
v.  
K. HSIEH, et al.,  
Defendants.

No. 2:15-cv-0590-JAM-KJN PS

ORDER

On July 24, 2015, the magistrate judge filed findings and recommendations (ECF. No. 32) 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. On August 07, 2015, defendants filed objections to the proposed findings and recommendations (ECF. No. 37), which have been considered by the court.

This court reviews de novo those portions of the proposed findings of fact to which an 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); see also Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009). 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 reviewed de novo. See Britt v. Simi

1 Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

2 The court has reviewed the applicable legal standards and, good cause appearing,  
3 concludes that it is appropriate to adopt the proposed findings and recommendations in full.

4 Accordingly, IT IS ORDERED that:

5 1. The Proposed Findings and Recommendations filed July 24, 2015, are ADOPTED;

6 2. Defendants' motions to dismiss (ECF Nos. 17, 18) are GRANTED WITHOUT  
7 LEAVE TO AMEND with respect to plaintiffs' claims against defendants Gary Swarouth,  
8 Priyasheelta Nand, and County of San Joaquin, and these defendants are dismissed from this  
9 action with prejudice.

10 DATED: November 20, 2015

11 /s/ JOHN A. MENDEZ  
12 John A. Mendez  
13 United States District Judge

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