## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 No. 2:16-cv-2271 GEB KJN PS DAVID P. DEMAREST, 12 **ORDER** Plaintiff, 13 v. 14 THE CITY OF VALLEJO CALIFORNIA, et al., 15 Defendants. 16 17 18 On February 17, 2017, the magistrate judge filed findings and recommendations herein 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. (ECF No. 12.) No objections were 21 filed. 22 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 23 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 24 1983). 25 26 The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full. 27

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Accordingly, IT IS ORDERED that: 1. The Proposed Findings and Recommendations filed February 17, 2017 (ECF No. 12), are ADOPTED; 2. Defendants Joseph Kreins and Andrew Bidou are dismissed from this action without leave to amend. Dated: March 29, 2017 Senior United States District Judge