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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

 Petitioner,

 v.

BRIAN TORRANCE,

 Respondent.

No. 2:18-cv-1631-JAM-EFB PS

ORDER

On April 22, 2020, the magistrate judge filed findings and recommendations 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. Respondent filed objections on July 6, 2020, and petitioner filed a response to the objections on July 21, 2020. Both filings were considered by the undersigned.¹

This court reviews de novo those portions of the proposed findings of fact to which 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). As to any portion of the proposed findings of fact to which no objection has been made, the court

¹ Within his objections, respondent requests he be appointed counsel. ECF No. 44 at 16-26. Because he has failed to demonstrate that appointing counsel is appropriate, that request is denied.

1 assumes its correctness and decides the motions on the applicable law. See Orand v. United
2 States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
3 reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

4 The court has reviewed the applicable legal standards and, good cause appearing,
5 concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

6 Accordingly, IT IS ORDERED that:

- 7 1. The proposed Findings and Recommendations filed April 22, 2020, are adopted;
- 8 2. Respondent's motion to dismiss this case (ECF No. 34) is denied; and
- 9 3. Plaintiff's request for appointment of counsel (ECF No. 44 at 16-26) is denied.

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DATED: July 29, 2020

/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE