1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 No. 2:19-cv-921-MCE-KJN PS LUCIO A. BARROGA, 12 **ORDER** Plaintiff, 13 (ECF No. 29) v. 14 BOARD OF ADMINISTRATION, CAL.PUBLIC EMPLOYEES' 15 RETIREMENT SYSTEM. 16 Defendant. 17 On September 9, 2019 the magistrate judge filed findings and recommendations (ECF No. 18 19 29), which were served on the parties and which contained notice that any objections to the 20 findings and recommendations were to be filed within fourteen (14) days. On September 23, 21 2019, plaintiff filed objections to the findings and recommendations (ECF No. 31), which have 22 been considered by the court. 23 This Court reviews de novo those portions of the proposed findings of fact to which an 24 objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore 25 Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981); see also Dawson v. Marshall, 561 F.3d 26 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection 27 has been made, the court assumes its correctness and decides the matter on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's 28 1

1	conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d
2	452, 454 (9th Cir. 1983).
3	The Court has reviewed the applicable legal standards and, good cause appearing,
4	concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,
5	IT IS HEREBY ORDERED that:
6	1. The findings and recommendations (ECF No. 29) are ADOPTED in full;
7	2. Defendant's Motion to Dismiss (ECF No. 20) is GRANTED;
8	3. Defendant's Motion to Declare Plaintiff Vexatious (ECF No. 21) is GRANTED in part
9	and DENIED in part;
10	4. Plaintiff is hereby DECLARED a vexatious litigant; and
11	5. The Court ISSUES a pre-filing order as described in Section II.D. of the Magistrate
12	Judge's findings and recommendations; and
13	6. The Clerk of the Court is directed to CLOSE this case.
14	IT IS SO ORDERED.
15	Dated: September 30, 2019
16	Molan Co.
17	MORRISON C. ENGLAND, JR ) UNITED STATES DISTRICT JUDGE
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	