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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROD WILLIAM IRELAND,
Plaintiff,
v.
SOLANO COUNTY, et al.,
Defendants.

No. 2:19-cv-1104-KJM-JDP P

ORDER

Plaintiff, proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 28, 2020, the magistrate judge filed findings and recommendations, which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

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 reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

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1 . . .”). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed May 28, 2020, are adopted in full.
- 5 2. Defendants’ motion to dismiss (ECF No. 21) is GRANTED in part.
- 6 3. The following claims are dismissed without prejudice:

7 a. Plaintiff’s ADA and Rehabilitation Act claims -both individual and official
8 capacity- against Defendant White;

9 b. Plaintiff’s claims pursuant to California Government Code § 11135;

10 c. Plaintiff’s Fourteenth Amendment Equal Protection and Due Process claims
11 against both defendants; and

12 d. Plaintiff’s constitutional claims against Solano County.

- 13 4. The motion to dismiss is DENIED in all other respects.

14 DATED: October 15, 2020.

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17 CHIEF UNITED STATES DISTRICT JUDGE
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