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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIGUEL BELMONTE,

 Plaintiff,

 v.

WINKFIELD, et al.,

 Defendants.

No. 2:19-cv-1189 KJM AC P

ORDER

Plaintiff, a state prisoner 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 August 25 and September 17, 2020, the magistrate judge issued findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF Nos. 24, 25). Plaintiff has not 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:

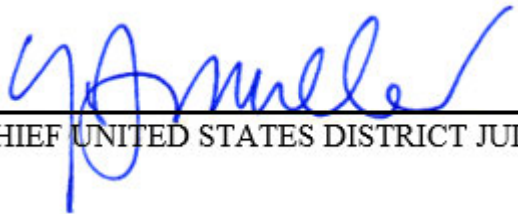
4 1. The findings and recommendations issued August 25, 2020 (ECF No. 24) and
5 September 17, 2020 (ECF No. 25), are ADOPTED in full;

6 2. Plaintiff’s motion for a preliminary injunction (*see* ECF No. 18 at 4) is DENIED;

7 3. This action is DISMISSED for failure to state a claim upon which relief may be
8 granted. *See* 28 U.S.C. § 1915A(b)(1); and

9 4. The clerk of court is directed to close this case.

10 DATED: March 30, 2021.

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14 CHIEF UNITED STATES DISTRICT JUDGE
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