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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS A. RAMIREZ,
Plaintiff,
v.
ELENA D’AUGUSTINO, et al.,
Defendants.

No. 2:20-cv-0624 JAM CKD 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 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 25, 2021, the magistrate judge filed findings and recommendations herein which were served on all plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

Although it appears from the file that plaintiff’s copy of the findings and recommendations was returned, plaintiff was properly served. It is the plaintiff’s responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

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1 The court presumes that any findings of fact are correct. See Orand v. United States, 602
2 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo.
3 See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having
4 reviewed the file, the court finds the findings and recommendations to be supported by the record
5 and by the magistrate judge’s analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations filed May 25, 2021, are adopted in full; and
- 8 2. Plaintiff’s fifth amended complaint is dismissed for failure to state a claim upon which
9 relief can be granted; and
- 10 3. This case is closed.

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13 DATED: June 28, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE