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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES GRILL,

 Plaintiff,

 v.

UNITED STATES,

 Defendant.

No. 2:20-cv-00641-TLN-JDP

ORDER

On September 3, 2021, 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. (ECF No. 25.) Plaintiff has filed objections to the findings and recommendations. (ECF Nos. 26, 27.)

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 assumes its correctness and decides the motions on the applicable law. *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 Britt v. Simi Valley Unified Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

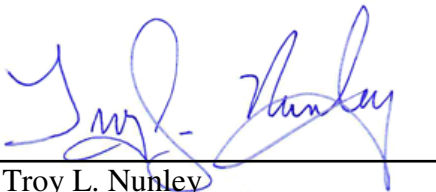
The Court has reviewed the applicable legal standards and, good cause appearing,

1 concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

2 Accordingly, IT IS ORDERED that:

- 3 1. The proposed Findings and Recommendations filed September 3, 2021, (ECF No. 25),
4 are adopted;
- 5 2. Defendant's motion to dismiss, (ECF No. 13), is GRANTED;
- 6 3. Plaintiff's complaint is dismissed without leave to amend; and
- 7 4. The Clerk of Court is directed to close the case.

8 **DATE: November 29, 2021**

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12 Troy L. Nunley
13 United States District Judge

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