Case 2:20-cv-00950-TLN-KJN Document 14 Filed 12/18/20 Page 1 of 2 1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 No. 2:20-cv-00950-TLN-KJN MARILYN TILLMAN-CONERLY, 12 **ORDER** Plaintiff, 13 v. 14 U.S. OFFICE OF PERSONNEL MANAGEMENT, et al., 15 Defendants. 16 17 Plaintiff Marilyn Tillman-Conerly ("Plaintiff"), proceeding pro se, initiated this civil 18 19 action on May 8, 2020. (ECF No. 1.) The matter was referred to a United States Magistrate 20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 21 On November 16, 2020, the magistrate judge filed findings and recommendations which 22 were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. (ECF No. 12.) On December 2, 23 2020, Plaintiff filed Objections to the Findings and Recommendations (ECF No. 13), which have 24 25 been considered by the court. 26 This Court reviews de novo those portions of the proposed findings of fact to which 27 objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore 28 Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982); see 1

## also Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009). 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). Having reviewed the file under the applicable legal standards, the Court finds the Findings and Recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that: 1. The Findings and Recommendations (ECF No. 12) are adopted in full; 2. Plaintiff's claims are DISMISSED without prejudice; 3. Plaintiff's Motion for Default Judgment (ECF No. 9) is DENIED; and 4. The Clerk of the Court is directed to close this case. IT IS SO ORDERED. DATED: December 17, 2020 Troy L. Nunley United States District Judge

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