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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHARIDAN STILES,

 Plaintiff,

 v.

SAFECO INSURANCE,

 Defendant.

No. 2:20-CV-1731-KJM-DMC

ORDER

Plaintiff, who is proceeding pro se, brings this civil action. The matter was referred to a United States Magistrate Judge as provided by Eastern District of California local rules.

On September 9, 2021, the Magistrate Judge filed findings and recommendations, which were served on the parties and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 9, 2021, are adopted in full;
 2. Defendant's motion to dismiss, ECF No. 11, is granted;
 3. Plaintiff's negligence claim and intentional tort claims are dismissed with prejudice;
 4. Plaintiff's breach of contract, bad faith, and defamation claims are dismissed with leave to amend;
 5. Plaintiff shall file a first amended complaint within 30 days of the date of this order;
- and
6. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

DATED: December 13, 2021.



CHIEF UNITED STATES DISTRICT JUDGE