1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 MICHELLE OSBORNE, No. 2:20-cv-02341-KJM-JDP (PS) 12 Plaintiff, 13 **ORDER** v. 14 JOSE CLAVACHE, et al., 15 Defendants. 16 17 On November 17, 2021, the magistrate judge filed findings and recommendations, which 18 were served on plaintiff and which contained notice to plaintiff that any objections to the findings 19 and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to 20 the findings and recommendations. 21 The court presumes that any findings of fact are correct. See Orand v. United States, 602 22 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. 23 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 . . . . "). 24 Having reviewed the file, the court finds the findings and recommendations to be supported by 25 26 the record and by the proper analysis. ///// 27 ///// 28 1

## 

## Accordingly, IT IS HEREBY ORDERED that:

- 1. The findings and recommendations filed November 17, 2021, are adopted in full;
- 2. Plaintiff's complaint is dismissed without prejudice and without leave to amend; and
- 3. The Clerk of Court is directed to close the case.

DATED: January 7, 2022.

CHIEF UNITED STATES DISTRICT JUDGI