1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 DAVID ROBERTS, No. 2:21-cv-02400-TLN-JDP 12 Plaintiff. 13 **ORDER** v. 14 STATE OF CALIFORNIA, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On April 13, 2022, the magistrate judge filed findings and recommendations herein which 21 were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings 22 and recommendations were to be filed within fourteen days. (ECF No. 7.) Plaintiff has not filed 23 objections to the findings and recommendations. 24 The Court presumes that any findings of fact are correct. See Orand v. United States, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. 26 See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the 27 magistrate judge are reviewed de novo by both the district court and [the appellate] court "). 28 Having reviewed the file, the Court finds the findings and recommendations to be supported by 1

the record and by the proper analysis. Accordingly, IT IS HEREBY ORDERED that: 1. The Findings and Recommendations filed April 13, 2022, (ECF No. 7), are adopted in full; 2. This action is DISMISSED as duplicative; and 3. The Clerk of Court is directed to close the case. **DATE: June 15, 2022** Troy L. Nunley United States District Judge