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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEANGELO CORTIJO,

 Plaintiff,

 v.

ST. ANDRE, et al.,

 Defendants.

No. 2:23-cv-00454 KJM DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. Plaintiff claims that defendants denied him the ability to make phone calls, retaliated against him, and discriminated against him in violation of his constitutional rights. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 5, 2023, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. Plaintiff has not filed objections to the findings and recommendations.


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

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

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed December 5, 2024, are adopted in full;
- 5 2. This action is dismissed without prejudice; and
- 6 3. The Clerk of the Court is directed to close this case.

7 DATED: February 5, 2024.

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10 CHIEF UNITED STATES DISTRICT JUDGE
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