

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LIAM MEYER,

Plaintiff,

v.

CENTRAL VALLEY FLOOD
PROTECTION BOARD,

Defendant.

CENTRAL VALLEY FLOOD
PROTECTION BOARD,

Cross-Claimant,

v.

LIAM MEYER,

Cross-Defendant.

No. 2:23-cv-02979-DAD-JDP (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING
DEFENDANT AND CROSS-CLAIMANT’S
MOTION TO REMAND, AND REMANDING
THIS ACTION TO THE SACRAMENTO
COUNTY SUPERIOR COURT

(Doc. No. 3, 17)

Plaintiff and cross-defendant Liam Meyer is proceeding *pro se* in this civil action on January 9, 2024. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 23, 2024, the assigned magistrate judge issued findings and recommendations recommending that defendant and cross-claimant’s motion to remand this action back to the

1 Sacramento County Superior Court (Doc. No. 3) be granted because “plaintiff was not permitted
2 to remove this action and there is no basis for federal jurisdiction.” (Doc. No. 17 at 4.) The
3 findings and recommendations were served on the parties and contained notice that any
4 objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 5.) On August
5 27, 2024, plaintiff and cross-defendant filed objections to the pending findings and
6 recommendations. (Doc. No. 20.) Defendant and cross-claimant did not file any objections.

7 In his objections, plaintiff primarily repeats arguments that he had presented in his
8 opposition to the motion to remand, and those arguments were already considered and properly
9 rejected in the pending findings and recommendations. (*Id.*) Plaintiff also accuses the magistrate
10 judge of “showing extreme bias” and asserts that the magistrate judge “must be removed is justice
11 is to be served.” (*Id.* at 6.) Plaintiff’s accusations in this regard are inappropriate and do not
12 serve as a basis upon which to reject the pending findings and recommendations.

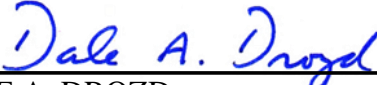
13 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
14 *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff’s
15 objections, the court concludes that the findings and recommendations are supported by the
16 record and by proper analysis.

17 Accordingly:

- 18 1. The findings and recommendations issued on July 23, 2024 (Doc. No. 17) are
19 adopted in full;
- 20 2. Defendant and cross-claimant’s motion to remand (Doc. No. 3) is granted;
- 21 3. This action is remanded to the Sacramento County Superior Court due to this
22 court’s lack of subject matter jurisdiction; and
- 23 4. The Clerk of the Court is directed to close this case.

24 IT IS SO ORDERED.

25 Dated: August 29, 2024

26 
27 _____
28 DALE A. DROZD
UNITED STATES DISTRICT JUDGE