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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANDRE JAMES CLARK, SR.,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

No. 2:24-cv-01748-TLN-AC

ORDER

Plaintiff Andre James Clark, Sr. (“Plaintiff”), a state prisoner proceeding *pro se*, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 15, 2024, the magistrate judge filed findings and recommendations herein 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. (ECF No. 13.) 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[.]”).

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Having carefully reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.


Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations (ECF No. 13) are ADOPTED IN FULL;
2. Plaintiff's Motion for a Temporary Restraining Order (ECF No. 9) is DENIED; and
3. This matter is referred back to the assigned magistrate judge for all further pretrial

proceedings.

IT IS SO ORDERED.

Date: January 24, 2025



TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE