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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

RONNIE L. MOODY, et al.,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT
OF CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

Case No.: 3:18-cv-01110-WQH-AGS

ORDER

HAYES, Judge:

The matter before the Court is the Motion for Summary Judgment filed by Defendants (ECF No. 56) and the Report and Recommendation issued by the Magistrate Judge (ECF No. 64).

The duties of the district court in connection with a report and recommendation of a magistrate judge are set forth in Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b). The district judge must “make a de novo determination of those portions of the report . . . to which objection is made” and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). The district court need not review de novo those portions of a Report and Recommendation

1 to which neither party objects. *See Wang v. Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir.
2 2005); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (“Neither the
3 Constitution nor the [Federal Magistrates Act] requires a district judge to review, de novo,
4 findings and recommendations that the parties themselves accept as correct.”).

5 The record reflects that no objections have been filed by either party. The Court has
6 reviewed the Report and Recommendation, the record, and the submissions of the parties.

7 IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 64) is
8 ADOPTED in its entirety. The Motion for Summary Judgment filed by Defendants (ECF
9 No. 56) is GRANTED IN PART and DENIED IN PART. The Clerk of the Court shall
10 enter judgment in favor of Defendants and against Plaintiffs Gary T. Deans and Donnel E.
11 Jones as to Plaintiffs’ conspiracy-to-retaliate claims. The Clerk of the Court shall enter
12 judgment in favor of Defendants and against Plaintiff Donnel E. Jones as to Plaintiff’s
13 official-capacity claim against Defendant Paramo. Summary judgment is denied as moot
14 as to Plaintiff Donnel E. Jones’s retaliation claim against Defendants Bravo, Salazar, and
15 Paramo.

16 IT IS FURTHER ORDERED that the final pretrial conference is set for April 29,
17 2021 at 11:00 a.m. before the Honorable William Q. Hayes. Unless otherwise ordered by
18 the Court, all parties shall appear telephonically for the Final Pretrial Conference. Parties
19 are directed to join on a conference call, then contact K. Sellars 619-321-0238 at the time
20 of the conference. The parties shall lodge an amended proposed pretrial order on or before
21 March 19, 2021.

22 Dated: February 16, 2021

23 
24 Hon. William Q. Hayes
25 United States District Court
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