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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 LUCIOUS WILSON,

12 Plaintiff,

13 v.

14 SGT. SEGOVIA, et al.,

15 Defendants.  
16

Case No.: 19-CV-2254 TWR (MDD)

**ORDER (1) ADOPTING REPORT &  
RECOMMENDATION, AND  
(2) GRANTING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT.**

(ECF Nos. 42, 53)  
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18 Presently before the Court is Defendants' Motion for Summary Judgment  
19 ("Motion," ECF No. 42). Magistrate Judge Mitchell D. Dembin has issued a Report and  
20 Recommendation on the Motion ("R&R," ECF No. 53), recommending that the Court grant  
21 the Motion. Having carefully reviewed the Parties' arguments, Magistrate Judge Dembin's  
22 R&R, the underlying administrative record, and the law, the Court **ADOPTS** Magistrate  
23 Judge Dembin's R&R in its entirety and **GRANTS** Defendants' Motion.

24 **BACKGROUND**

25 Magistrate Judge Dembin's R&R contains a thorough and accurate recitation of the  
26 factual and procedural history underlying the instant Petition. (*See* R&R at 1–3.) This  
27 Order incorporates by reference the background as set forth therein.

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1 **LEGAL STANDARD**

2 When a magistrate judge issues a report and recommendation on a motion pending  
3 before a district court judge, the district court must “make a de novo determination of those  
4 portion of the report . . . to which objection is made” and “may accept, reject, or modify,  
5 in whole or in part, the findings or recommendations made by the magistrate judge.” 28  
6 U.S.C. § 636(b)(1); *see also United States v. Raddatz*, 447 U.S. 667, 673–76 (1980); *United*  
7 *States v. Remsing*, 874 F.2d 614, 617 (9th Cir. 1989). But “[w]hen no timely objection is  
8 filed, the court need only satisfy itself that there is no clear error on the face of the record  
9 in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee’s note  
10 to 1983 amendment (citing *Campbell v. U.S. Dist. Court*, 501 F.2d 196, 206 (9th Cir.), *cert.*  
11 *denied*, 419 U.S. 879 (1974)); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121  
12 (9th Cir. 2003) (emphasis in original) (“[T]he district judge must review the magistrate  
13 judge’s findings and recommendations de novo *if objection is made*, but not otherwise.”).

14 **ANALYSIS**

15 As of the date of this Order, the Court has received no objections to Magistrate Judge  
16 Dembin’s R&R. (*See* R&R at 9 (ordering that any objections be filed no later than January  
17 29, 2021).) Having reviewed the R&R, the Court finds that it is thorough, well-reasoned,  
18 and contains no clear error. The Court therefore **ADOPTS** Magistrate Judge Dembin’s  
19 R&R in its entirety and **GRANTS** Defendants’ Motion.

20 **CONCLUSION**

21 In light of the foregoing, the Court **ADOPTS** Magistrate Judge Dembin’s R&R  
22 (ECF No. 53) and **GRANTS** Defendants’ Motion (ECF No. 42).

23 **IT IS SO ORDERED.**

24 Dated: November 18, 2021

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26 Honorable Todd W. Robinson  
27 United States District Judge  
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