

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Juan Carlos Calderon v. J. Campos

No. No. 2:23-cv-2049-WBS-CSK, United States District Court for the Eastern District of California (April 7, 2025)

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a prisoner civil rights action under 42 U.S.C. § 1983. The court denied the defendant’s motion to dismiss, ordered an answer within thirty days, and denied the plaintiff’s motion construed as seeking injunctive relief.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	William B. Shubb
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 7, 2025
DOCKET	No. 2:23-cv-2049-WBS-CSK
DISPOSITION	other
PROCEDURAL POSTURE	A pro se state prisoner brought a civil rights action under 42 U.S.C. § 1983. After a magistrate judge issued findings and recommendations, neither party objected. The district court reviewed the recommendations, denied the defendant's motion to dismiss, and denied the plaintiff's motion for injunctive relief.
STANDARD OF REVIEW	The court presumed the magistrate judge's findings of fact were correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- motions to dismiss
- injunctions
- prisoners rights
- section 1983
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted when neither party filed objections.
2. Whether defendant's motion to dismiss should be denied.
3. Whether plaintiff's motion for documentary legal matters, construed as a motion for injunctive relief, should be denied.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after reviewing the record and finding them supported by the record and the magistrate judge's analysis.
2. The district court presumed the magistrate judge's findings of fact were correct and reviewed the magistrate judge's conclusions of law de novo.
3. Defendant's motion to dismiss was denied.
4. Plaintiff's motion for documentary legal matters, construed as a motion for injunctive relief, was denied.

KEY QUOTATIONS

“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.” (at 1)

FACTUAL BACKGROUND

Plaintiff Juan Carlos Calderon, a state prisoner proceeding pro se, filed a civil rights action seeking relief under 42 U.S.C. § 1983. The district court's order does not describe the underlying events or claims in detail. The court reviewed the magistrate judge's findings and recommendations concerning defendant's motion to dismiss and plaintiff's request for injunctive relief.

PROCEDURAL HISTORY

The matter was referred to a United States Magistrate Judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On March 3, 2025, the magistrate judge filed findings and recommendations and served them with notice of the fourteen-day objection period. No objections were filed. The district court adopted the findings and recommendations in full, denied the motion to dismiss, denied the motion for injunctive relief, and ordered defendant to answer within thirty days.

DISPOSITION

other

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 JUAN CARLOS CALDERON, No. 2:23-cv-2049-WBS-CSK P 12 Plaintiff,
13 v. ORDER 14 J. CAMPOS, 15 Defendant. 16 17 Plaintiff, a state prisoner proceeding pro se,
filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983.

The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)
(B) and Local Rule 302. 20 On March 03, 2025, the magistrate judge filed findings and
recommendations herein 21 which were served on all parties and which contained notice to all
parties that any objections to 22 the findings and recommendations were to be filed within
fourteen days.

Neither party filed 23 objections to the findings and recommendations. 24 The court presumes that
any findings of fact are correct. See Orand v. United States, 602 25 F.2d 207, 208 (9th Cir. 1979).
The magistrate judge’s conclusions of law are reviewed de novo. 26 See Britt v. Simi Valley
Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

Having 27 reviewed the file, the court finds the findings and recommendations to be supported by
the record 28 and by the magistrate judge’s analysis. 1 Accordingly, IT IS HEREBY ORDERED
that: 2 1. The findings and recommendations (ECF No. 65) are adopted in full; 3 2. Defendant’s
motion to dismiss (ECF No. 57) is denied, and defendant is ordered to file 4 | an answer to the
complaint within thirty days of the date of this order; and 5 3.

Plaintiff’s motion for documentary legal matters, etc. (ECF No 64), construed as a 6 | motion
for injunctive relief, is denied. 7 || Dated: April 4, 2025 ed blew aK. (htt — 8 WILLIAM B.
SHUBB UNITED STATES DISTRICT JUDGE 9 10 11 12 13 |} /cald23cev2049.801 14 15 16 17
18 19 20 21 22 23 24 25 26 27 28