

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Toepper v. City of Vallejo

Toepper · No. 2:24-cv-02366-KJM-CSK · Decided June 20, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after no objections were filed. The court dismissed the plaintiffs’ action with prejudice and directed the Clerk of Court to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 20, 2025
DOCKET	2:24-cv-02366-KJM-CSK
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after the objection period expired without objections.
STANDARD OF REVIEW	The court presumed that any factual findings were correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unknown; district court order with no published reporter citation
PARTIES	Robert Toepper, et al. v. City of Vallejo, et al.

TOPICS

- [civil procedure](#) [civil rights](#) [section 1983](#)

PRACTICE AREAS

- [Civil procedure](#) [Civil rights](#) [Municipal law](#)

QUESTIONS PRESENTED

- Whether the district court should adopt the magistrate judge's findings and recommendations when no objections were filed.

2. What standard of review applies to the magistrate judge's factual findings and conclusions of law.
3. Whether the action should be dismissed with prejudice and the case closed.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full because they were supported by the record and proper analysis, and no objections had been filed.
2. The plaintiffs' action was dismissed with prejudice, and the clerk was directed to close the case.

KEY QUOTATIONS

“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court” (at 1)

FACTUAL BACKGROUND

The order does not recount the underlying factual allegations or substantive events giving rise to the action. It concerns only the district court's review and adoption of a magistrate judge's findings and recommendations.

PROCEDURAL HISTORY

On April 23, 2025, the magistrate judge issued findings and recommendations, which were served on the parties with notice that objections were due within fourteen days. No objections were filed. The district court reviewed the record, adopted the findings and recommendations in full, dismissed the action with prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007)

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 FOR THE EASTERN DISTRICT OF
CALIFORNIA 9 10 ROBERT TOEPFER, et al., Case No. 2:24-cv-02366-KJM-CSK 11 Plaintiffs,
ORDER 12 v. 13 CITY OF VALLEJO, et al., 14 Defendants. 15 16 On April 23, 2025, the
magistrate judge filed findings and recommendations, which were 17 served on the parties and
which contained notice that any objections to the findings and 18 recommendations were to be
filed within fourteen (14) days.

(ECF No. 25.) No objections were 19 filed and the time to do so has passed. 20 The court
presumes that any findings of fact are correct. See Orand v. United States, 21 602 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.”).

Having 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. 25) are ADOPTED IN FULL;
2. Plaintiffs’ action is DISMISSED with prejudice; and
3.

The Clerk of Court is directed to CLOSE this case.
DATED: June 17, 2025.
Fees
STATES DISTRICT JUDGE