

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Deegan v. Cueva

Deegan · No. 2:23-cv-1130 DJC CKD P · Decided May 8, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations after the plaintiff filed no objections. The court dismissed all claims except Eighth Amendment damages claims against defendants Carter and Mathews concerning exposure to harmful conditions of confinement, and referred the matter for further pretrial proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 8, 2025
DOCKET	2:23-cv-1130 DJC CKD P
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations in a prisoner civil-rights action after the plaintiff filed no objections.
STANDARD OF REVIEW	The court presumed the magistrate judge's findings of fact correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unpublished district court order with limited precedential value.
PARTIES	Sidney Ross Deegan, Jr. v. Daniel E. Cueva, et al.

TOPICS

- section 1983
- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

- civil rights
- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted when plaintiff filed no objections.
2. Which claims in plaintiff's § 1983 action could proceed.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after reviewing the record and analysis and receiving no objections from plaintiff.
2. All claims other than damages claims against defendants Carter and Mathews arising under the Eighth Amendment for exposing plaintiff to harmful conditions of confinement were dismissed without leave to amend.

FACTUAL BACKGROUND

Plaintiff is a state prisoner proceeding pro se and brought a civil-rights action seeking relief under 42 U.S.C. § 1983. The surviving claims seek damages against defendants Carter and Mathews under the Eighth Amendment for allegedly exposing plaintiff to harmful conditions of confinement.

PROCEDURAL HISTORY

Plaintiff filed an action under 42 U.S.C. § 1983 and the matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge issued findings and recommendations on March 28, 2025. After no objections were filed, the district court adopted the findings and recommendations in full, dismissed all claims except specified Eighth Amendment damages claims, and referred the case back for further pretrial proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was referred back to the assigned magistrate judge for all further pretrial proceedings.

CASES CITED

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

OPINION

(PC) Deegan v. Cueva

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 SIDNEY ROSS DEEGAN, JR., No. 2:23-cv-1130 DJC CKD P

12 Plaintiff, 13 v. ORDER 14 DANIEL E. CUEVA, et al., 15 Defendants. 16 17 Plaintiff, a state
prisoner proceeding pro se, has filed this civil rights action 18 seeking relief under 42 U.S.C. §
1983. The matter was referred to a United States 19 Magistrate Judge pursuant to 28 U.S.C. §
636(b)(1)(B) and Local Rule 302. 20 On March 28, 2025, the Magistrate Judge filed findings and
recommendations 21 herein which were served on plaintiff and which contained notice to plaintiff
that any 22 objections to the findings and recommendations were to be filed within fourteen 23
days. Plaintiff has not filed objections to the findings and recommendations. 24 The Court
presumes that any findings of fact are correct. See *Orand v. United* 25 *States*, 602 F.2d 207, 208
(9th Cir. 1979). The Magistrate Judge’s conclusions of law 26 are reviewed de novo. See *Britt v.*
Simi Valley Unified School Dist., 708 F.2d 452, 454 27 (9th Cir. 1983). Having reviewed the file,
the Court finds the findings and 28 recommendations to be supported by the record and by the
Magistrate Judge’s 1 | analysis. 2 Accordingly, IT IS HEREBY ORDERED that: 3 1. The findings
and recommendations filed March 28, 2025 are adopted in full; 4 | and 5 2. All claims other than
claims for damages against defendants Carter and 6 || Mathews arising under the Eighth
Amendment for exposing plaintiff to harmful 7 | conditions of confinement are dismissed without
leave to amend; and 8 3. This matter is referred back to the assigned Magistrate Judge for all
further 9 | pretrial proceedings. 10 14 IT IS SO ORDERED. 12 | Dated: _May 7, 2025 “Dane A Ch
brett Hon. Daniel alabretta

13 UNITED STATES DISTRICT JUDGE

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