

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

OPINION

(PC) Deegan v. Cueva

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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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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