

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jimmie R. Carnes, Jr. v. Sacramento County Main Jail, et al.

No. 2:24-cv-0502-DJC-JDP (P), United States District Court for the Eastern District of California (May 27, 2025)

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after the plaintiff filed no objections. The court dismissed the § 1983 action without prejudice for failure to prosecute and failure to comply with court orders, and directed the clerk to close the case.

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 27, 2025
DOCKET	2:24-cv-0502-DJC-JDP (P)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations in a prisoner civil-rights action after Plaintiff failed to file objections.
STANDARD OF REVIEW	The district court presumed the magistrate judge's findings of fact correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Nonprecedential unpublished district court order
PARTIES	Jimmie R. Carnes, Jr. v. Sacramento County Main Jail, et al.

TOPICS

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

PRACTICE AREAS

- Prisoner civil rights
- Federal civil procedure

QUESTIONS PRESENTED

- 1. Whether the district court should adopt the magistrate judge's findings and recommendations when Plaintiff filed no objections.
- 2. Whether the action should be dismissed without prejudice for failure to prosecute and failure to comply with court orders.

HOLDINGS

- 1. The district court presumed the magistrate judge's findings of fact correct and reviewed the magistrate judge's conclusions of law de novo.
- 2. The action was properly dismissed without prejudice for failure to prosecute and failure to comply with court orders.

FACTUAL BACKGROUND

Plaintiff was a state prisoner proceeding without counsel in a civil-rights action under 42 U.S.C. § 1983. He failed to file objections to the magistrate judge's findings and recommendations within the fourteen-day period and had previously failed to prosecute the action and comply with court orders.

PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se, filed an action under 42 U.S.C. § 1983. The matter was referred to a magistrate judge, whose April 17, 2025 findings and recommendations recommended disposition of the action. Plaintiff did not object, and the district court adopted the findings and recommendations in full, dismissed the action without prejudice for failure to prosecute and failure to comply with court orders, 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

(PC) Carnes v. Sacramento County Main Jail
PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 JIMMIE R. CARNES, JR., Case No. 2:24-cv-0502-DJC-JDP (P) 12 Plaintiff, 13 v. ORDER
14 SACRAMENTO COUNTY MAIN JAIL,

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 April 17, 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 Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007) 27
 (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the 28 1 | district
court and [the appellate] court... .”). Having reviewed the file, the Court finds 2 | the findings and
recommendations to be supported by the record and by the proper 3 | analysis. 4 Accordingly, IT
IS HEREBY ORDERED that: 5 1. The findings and recommendations, filed April 17, 2025, are
adopted in full; 6 2. This action is DISMISSED without prejudice for failure to prosecute and 7 |
failure to comply with court orders for the reasons set forth in the November 18, 2024 8 | order.
See ECF No. 16; and 9 3. The Clerk of Court is directed to close the case. 10 14 IT IS SO
ORDERED. 12 | Dated: _May 23, 2025 “Darel J CL bratter— Hon. Daniel alabretta
13 UNITED STATES DISTRICT JUDGE
14 15 16 17 18 19 20 21 22 23 24 25 26 27 28