

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Diana Akins, as successor in interest to Samuel Wynn, Jr. v. B. Moss,
et al.**

Akins v. Moss · No. 2:21-CV-1317-KJM-DMC-P · Decided November 12, 2025

OPINION

Moss

PER CURIAM.

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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 DIANA AKINS, as successor in interest to No. 2:21-CV-1317-KJM-DMC-P

SAMUEL WYNN, JR.,

12 Plaintiff,

13 ORDER

v. 14 B. MOSS, et al., 15 Defendants. 16 17 18 Plaintiff, a prisoner proceeding pro se, brings this
civil rights action under 42 U.S.C. 19 § 1983. The matter was referred to a United States
Magistrate Judge as provided by Eastern 20 District of California local rules. 21 On September
23, 2025, the Magistrate Judge filed findings and recommendations, which 22 were served on the
parties and which contained notice that the parties may file objections within 23 the time specified
therein. No objections to the findings and recommendations have been filed. 24 The court
presumes that any findings of fact are correct. See *Orand v. United States*, 25 602 F.2d 207, 208
(9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de 26 novo. See *Robbins*
v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by 27 the magistrate
judge are reviewed de novo by both the district court and [the appellate] court 28 // 1 |”).
Having reviewed the file, the court finds the findings and recommendations to be 2 || supported by
the record and by the proper analysis. 3 Accordingly, IT IS HEREBY ORDERED that: 4 1. The
findings and recommendations filed September 23, 2025, ECF No. 75, are 5 || adopted in full. 6 2.
Plaintiff’s motion for leave to amend, ECF No. 64, is denied. 7 3. Defendants’ motion for
judgment on the pleadings, ECF No. 63, is granted. 8 4. The Clerk of the Court is directed to enter
judgment and close this file. 9 | DATED: November 12, 2025.

STATES DISTRICT JUDGE

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