

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Scott Andrew Morrison v. California Department of Corrections and
Rehabilitation, et al.

No. 2:25-cv-2723 DJC CKD P · No. No. 2:25-cv-2723 DJC CKD P · Decided January 12, 2026

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a pro se prisoner civil rights action under 42 U.S.C. § 1983. The court dismissed the action without prejudice and directed the Clerk of Court to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Hon. Daniel Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 12, 2026
DOCKET	No. 2:25-cv-2723 DJC CKD P
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se state prisoner brought a civil-rights action under 42 U.S.C. § 1983. After a magistrate judge issued findings and recommendations, plaintiff filed no objections, and the district court adopted the findings and recommendations and dismissed the action without prejudice.
STANDARD OF REVIEW	Findings of fact are presumed correct, while the magistrate judge's conclusions of law are reviewed de novo.
PRECEDENTIAL VALUE	unknown

TOPICS

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

PRACTICE AREAS

- civil rights
- prisoner litigation
- federal civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted after plaintiff failed to file objections.
2. Whether the action should be dismissed without prejudice.

HOLDINGS

1. The findings and recommendations filed November 21, 2025, were supported by the record and the magistrate judge's analysis and were adopted in full.
2. The action was dismissed without prejudice, and the clerk was directed to close the case.

KEY QUOTATIONS

"This action is dismissed without prejudice;" (at 2)

FACTUAL BACKGROUND

Scott Andrew Morrison, a state prisoner proceeding without counsel, filed a civil-rights action seeking relief under 42 U.S.C. § 1983 against the California Department of Corrections and Rehabilitation and other defendants. The district court reviewed the magistrate judge's findings and recommendations after Morrison failed to file objections.

PROCEDURAL HISTORY

The matter was referred to a United States Magistrate Judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge filed findings and recommendations on November 21, 2025; plaintiff did not object. The district court reviewed the record, adopted the findings and recommendations in full, dismissed the action without 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)
- Britt v. Simi Valley Unified School District, 708 F.2d 452, 454 (9th Cir. 1983)

OPINION

Acquisto

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 SCOTT ANDREW MORRISON, No. 2:25-cv-2723 DJC CKD P

12 Plaintiff, 13 v.

14 CALIFORNIA DEPARTMENT OF ORDER

CORRECTIONS AND

15 REHABILITATION, et al., 16 Defendants. 17 18 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action 19 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States 20 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 21 On November 21, 2025, the Magistrate Judge filed findings and 22 recommendations herein which were served on plaintiff and which contained notice 23 to plaintiff that any objections to the findings and recommendations were to be filed 24 within fourteen days. Plaintiff has not filed objections to the findings and 25 recommendations. 26 The Court presumes that any findings of fact are correct. See *Orand v. United* 27 *States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge’s conclusions of law 28 are reviewed de novo. See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 1 | (9th Cir. 1983). Having reviewed the file, the Court finds the findings and 2 || recommendations to be supported by the record and by the Magistrate Judge’s 3 | analysis. 4 Accordingly, IT IS HEREBY ORDERED that: 5 1. The findings and recommendations filed November 21, 2025, are adopted 6 | in full; 7 2. This action is dismissed without prejudice; and 8 3. The Clerk of the Court is directed to close this case. 9 10 IT IS SO ORDERED. 11 | Dated: _ January 9, 2026 “Dane A Hon. Daniel alabretta

12 UNITED STATES DISTRICT JUDGE

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28