

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Joseph Perez v. County of San Joaquin, et al.

Perez · No. 2:24-cv-03402-TLN-JDP · Decided December 30, 2025

SUMMARY

The United States District Court for the Eastern District of California adopts the magistrate judge’s November 19, 2025 findings and recommendations. The action is dismissed for failure to prosecute, failure to comply with local rules, and failure to comply with court orders, and the Clerk is directed to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 30, 2025
DOCKET	2:24-cv-03402-TLN-JDP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after no party filed 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	unknown
PARTIES	Joseph Perez v. County of San Joaquin, et al.

TOPICS

- civil procedure
- sanctions

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations when no objections were filed.
2. Whether the action should be dismissed for failure to prosecute and failure to comply with local rules and court orders.

HOLDINGS

1. When reviewing a magistrate judge's findings and recommendations, the district court presumes findings of fact correct and reviews conclusions of law de novo.
2. The action was properly dismissed for failure to prosecute, failure to comply with the court's local rules, and failure to comply with court orders.

KEY QUOTATIONS

“This action is DISMISSED for failure to prosecute, failure to comply with the Court’s local rules, and failure to comply with court orders.” (at 1)

FACTUAL BACKGROUND

The plaintiff failed to prosecute the action, comply with the court's local rules, and comply with court orders. A magistrate judge issued findings and recommendations, which were served on the parties with notice of a fourteen-day objection period. No objections were filed.

PROCEDURAL HISTORY

The matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge filed findings and recommendations on November 19, 2025, recommending disposition of the action; the parties were served and did not object. The district court adopted the findings and recommendations and dismissed the action for failure to prosecute, failure to comply with local rules, and failure to comply with court orders.

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

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 JOSEPH PEREZ, Case No. 2:24-cv-03402-TLN-JDP 12 Plaintiff, 13 v.
ORDER 14 COUNTY OF SAN JOAQUIN, et al., 15 Defendants. 16 17 This matter was referred
to a United States Magistrate Judge pursuant to 28 U.S.C. § 18 636(b)(1)(B) and Local Rule 302.

On November 19, 2025, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed. The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 F.2d 207, 208 (9th Cir.

1979). The magistrate judge's conclusions of law are reviewed de novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court....”). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that: 1. The proposed Findings and Recommendations filed November 19, 2025, are ADOPTED. 2. This action is DISMISSED for failure to prosecute, failure to comply with the Court's local rules, and failure to comply with court orders. 3.

The Clerk of Court is directed to close the case. IT IS SO ORDERED. || Date: December 29, 2025
Lah tly TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE