

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Turner v. Weston, et al.

Turner · No. 2:24-cv-0239-TLN-JDP (P) · Decided April 8, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after Plaintiff Anthony R. Turner filed no objections. The court dismissed the second amended complaint without leave to amend for failure to state a cognizable claim, denied the motion for injunctive relief as moot, and directed the Clerk to close the action.

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	April 8, 2025
DOCKET	2:24-cv-0239-TLN-JDP (P)
DISPOSITION	dismissed
PROCEDURAL POSTURE	District court review and adoption of a magistrate judge's findings and recommendations in a civil-rights action under 42 U.S.C. § 1983; plaintiff filed no objections.
STANDARD OF REVIEW	Findings of fact were presumed correct; conclusions of law were reviewed de novo.
PRECEDENTIAL VALUE	unpublished district-court order
PARTIES	Anthony R. Turner v. W. Weston, et al.

TOPICS

- section 1983
- prisoners rights
- motions to dismiss
- injunctions
- civil procedure

PRACTICE AREAS

- civil rights
- civil procedure
- prisoner litigation
- equitable relief

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations when plaintiff filed no objections.
2. Whether the second amended complaint stated a cognizable claim under 42 U.S.C. § 1983.
3. Whether plaintiff's motion for injunctive relief should be denied as moot following dismissal of the action.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after reviewing the record and receiving no objections from plaintiff.
2. The second amended complaint failed to state a cognizable claim and was dismissed without leave to amend.
3. Plaintiff's motion for injunctive relief was denied as moot.

KEY QUOTATIONS

“The magistrate judge’s conclusions of law are reviewed de novo.” (at 1)

“The second amended complaint, (ECF No. 42), is DISMISSED without leave to amend for failure to state a cognizable claim;” (at 2)

FACTUAL BACKGROUND

Anthony R. Turner, a civil detainee proceeding without counsel, brought a civil-rights action under 42 U.S.C. § 1983. The district court reviewed a magistrate judge's findings and recommendations concerning Turner's second amended complaint. The record does not provide the underlying factual allegations because this order addresses adoption of the recommendations and dismissal.

PROCEDURAL HISTORY

Plaintiff, proceeding pro se as a civil detainee, filed a second amended complaint seeking relief under 42 U.S.C. § 1983. A magistrate judge issued findings and recommendations on November 21, 2024, recommending dismissal, and plaintiff did not object. The district court adopted the findings and recommendations in full, dismissed the second amended complaint without leave to amend for failure to state a cognizable claim, denied plaintiff's motion for injunctive relief as moot, and directed the clerk to close the action.

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)

