

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Owens v. Brewer

Owens · No. No. 2:22-cv-1765 DJC CSK P · Decided March 24, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge's findings and recommendations after neither party filed objections. The court granted the defendant's motion to dismiss with prejudice and directed the Clerk to close the case.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 THEON OWENS, No. 2:22-cv-1765 DJC CSK P 12 Plaintiff, 13 v. ORDER
14 A. BREWER, 15 Defendants. 16 17 Plaintiff, a former state prisoner proceeding pro se, 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 February 10, 2025, the Magistrate Judge filed findings and 21
recommendations herein which were served on all parties and which contained notice 22 to all
parties that any objections to the findings and recommendations were to be filed 23 within
fourteen days.

Neither party filed objections to the findings and 24 recommendations. 25 The Court presumes
that any findings of fact are correct. See *Orand v. United* 26 *States*, 602 F.2d 207, 208 (9th Cir.
1979). The Magistrate Judge's conclusions of law 27 are reviewed de novo. See *Britt v. Simi*
Valley Unified School Dist., 708 F.2d 452, 454 28 (9th Cir. 1983).

Having reviewed the file, the Court finds the findings and 1 | recommendations to be supported by
the record and by the Magistrate Judge's 2 | analysis. 3 Accordingly, IT IS HEREBY ORDERED
that: 4 1. The findings and recommendations (ECF No. 43) are adopted in full; 5 2. Defendant's
motion to dismiss with prejudice (ECF No. 37) is GRANTED. 6 3.

The Clerk of the Court is directed to close this case. 7 8 IT IS SO ORDERED. 9 | Dated: _March
21, 2025 "Dane A Ch brett Hon. Daniel alabretta 10 UNITED STATES DISTRICT JUDGE 11 12
| [] 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28