

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Terrence Brewer v. California State Bar, et al.

Case No. 2:23-cv-0860-TLN-JDP · No. 2:23-cv-0860-TLN-JDP · Decided March 11, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations. The court denied without prejudice Plaintiff Terrence Brewer’s motion for injunctive relief and referred the matter back to the magistrate judge for further pretrial proceedings.

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	March 11, 2025
DOCKET	2:23-cv-0860-TLN-JDP
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after the plaintiff filed objections, adopted the findings and recommendations, denied the plaintiff's motion for injunctive relief without prejudice, and referred the matter back to the magistrate judge for further pretrial matters.
STANDARD OF REVIEW	The court presumed that any findings of fact were correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential

TOPICS

- injunctions
- equitable relief
- civil procedure

PRACTICE AREAS

- Civil procedure
- Civil rights
- Equitable relief

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted after plaintiff's objections.
2. Whether plaintiff's motion for injunctive relief should be granted.

HOLDINGS

1. The district court presumes the magistrate judge's factual findings are correct and reviews the magistrate judge's legal conclusions de novo.
2. The magistrate judge's proposed findings and recommendations were adopted.
3. The motion for injunctive relief was denied without prejudice to renewal.

KEY QUOTATIONS

“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.” (at 1)

FACTUAL BACKGROUND

The opinion provides no substantive factual background concerning the underlying dispute. Plaintiff sought injunctive relief, and the magistrate judge issued findings and recommendations addressing that request. After plaintiff filed objections, the district judge reviewed the record and adopted the recommendations.

PROCEDURAL HISTORY

On February 12, 2025, the magistrate judge filed findings and recommendations. Plaintiff objected on February 24, 2025. The district court considered the objections, adopted the findings and recommendations, denied plaintiff's motion for injunctive relief without prejudice to renewal, and referred the case back to the magistrate judge for further pretrial matters.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was referred back to the assigned magistrate judge for all further pretrial matters.

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

(PS) Brewer v. California State Bar

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 TERRENCE BREWER, Case No. 2:23-cv-0860-TLN-JDP 12 Plaintiff, 13 v. ORDER 14
CALIFORNIA STATE BAR, et al., 15 Defendants. 16 17 On February 12, 2025, the magistrate
judge filed findings and recommendations herein 18 which were served on the parties and which
contained notice that any objections to the findings 19 and recommendations were to be filed
within fourteen days. Plaintiff filed objections on

20 February 24, 2025, and they were considered by the undersigned.

21 The court presumes that any findings of fact are correct. See *Orand v. United States*, 602 22
F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. 23
See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the 24
magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”).
25 Having reviewed the file, the court finds the findings and recommendations to be supported by
26 the record and by the proper analysis. 27 Accordingly, IT IS HEREBY ORDERED that: 28 1.
The proposed Findings and Recommendations (ECF No. 48) filed February 12, 2025, 1 | are
adopted; 2 2. Plaintiffs motion for injunctive relief (ECF No. 43) is DENIED without prejudice to
3 | renewal; and 4 3. This matter is referred back to the assigned magistrate judge for all further
pretrial 5 | matters. 6 IT IS SO ORDERED. 7 || Date: March 10, 2025 8 10

TROY L. NUNLEY

11 CHIEF UNITED STATES DISTRICT JUDGE

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