

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michella C. Alfaro Brittany v. Westfield Mall

No. 2:24-cv-3394 TLN SCR, United States District Court for the Eastern District of California (September 10, 2025)

SUMMARY

The United States District Court for the Eastern District of California adopts the magistrate judge’s findings and recommendations after Plaintiff filed no objections. The court dismisses the action without prejudice for failure to pay the filing fee.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 10, 2025
DOCKET	2:24-cv-3394 TLN SCR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted the magistrate judge's findings and recommendations after the deadline for objections passed without any objections being filed.
STANDARD OF REVIEW	The district court presumed that the magistrate judge's factual findings were correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not established in the source metadata.

TOPICS

civil procedure

PRACTICE AREAS

federal civil procedure magistrate judge review filing fees

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 without prejudice for failure to pay the filing fee.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after reviewing the record and receiving no objections.
2. The action was dismissed without prejudice for failure to pay the filing fee.

KEY QUOTATIONS

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

“This action is DISMISSED WITHOUT PREJUDICE for failure to pay the filing fee.” (at 2)

FACTUAL BACKGROUND

Plaintiff Michella C. Alfaro Brittany was proceeding pro se. The magistrate judge issued findings and recommendations, and Plaintiff did not file objections within the fourteen-day deadline. The district court determined that the recommendations were supported by the record and dismissed the action without prejudice because Plaintiff failed to pay the filing fee.

PROCEDURAL HISTORY

Plaintiff proceeded pro se, and the matter was referred to a magistrate judge under Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). The magistrate judge issued findings and recommendations on June 13, 2025, which were served on Plaintiff with notice of a fourteen-day objection period. No objections were filed, and the district court adopted the findings and recommendations in full and dismissed the action without prejudice for failure to pay the filing fee.

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)