

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Kern v. Ha

Kern · No. No. 2:24-cv-0736 DJC CKD P · Decided August 18, 2025

OPINION

(PC) Kern v. Ha

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 JAMES CURTIS KERN, No. 2:24-cv-0736 DJC CKD P

12 Plaintiff, 13 v. ORDER 14 HA, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner, has filed
this civil rights action seeking relief under 42 18 U.S.C. § 1983. The matter was referred to a
United States Magistrate Judge pursuant 19 to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20
On June 20, 2025, the Magistrate Judge filed findings and recommendations 21 herein which were
served on all parties and which contained notice to all parties that 22 any objections to the
findings and recommendations were to be filed within fourteen 23 days. Neither party has filed
objections to the findings and recommendations. 24 The Court presumes that any findings of fact
are correct. See Orand v. United 25 States, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate
Judge’s conclusions of law 26 are reviewed de novo. See Britt v. Simi Valley Unified School Dist.,
708 F.2d 452, 454 27 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and 28
recommendations to be supported by the record and by the Magistrate Judge’s 1 | analysis. 2
Accordingly, IT IS HEREBY ORDERED that: 3 1. The findings and recommendations filed June
20, 2025 are adopted in full; 4 2. Plaintiff’s motion for summary judgment (ECF No. 28) is denied;
and 5 3. This matter is referred back to the assigned Magistrate Judge for all further 6 pretrial
proceedings. 7 8 IT IS SO ORDERED. 9 | Dated: _August 15, 2025 “Dane A Ch brett Hon. Daniel
alabretta

10 UNITED STATES DISTRICT JUDGE

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