

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Richard Wood v. S. Salmonson, et al.

Wood v. Salmonson · No. 2:25-cv-2098-TLN-JDP (P) · Decided November 12, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after Plaintiff Richard Wood filed no objections. The court dismissed the § 1983 action without prejudice for failure to pay the filing fee, prosecute, and comply with court orders; denied the in forma pauperis motion as moot; and directed the clerk to close the case.

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	November 12, 2025
DOCKET	2:25-cv-2098-TLN-JDP (P)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se, brought a civil rights action under 42 U.S.C. § 1983. After the assigned magistrate judge issued findings and recommendations, Plaintiff filed no objections, and the district court adopted the findings and recommendations and dismissed the action without prejudice.
STANDARD OF REVIEW	The district court presumed the magistrate judge's findings of fact correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not specified in the opinion.
PARTIES	Richard Wood v. S. Salmonson, et al.

TOPICS

- civil procedure
- civil rights
- prisoners rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted when Plaintiff filed no objections.
2. Whether the action should be dismissed without prejudice for failure to pay the filing fee, failure to prosecute, and failure to comply with court orders.
3. Whether Plaintiff's motion to proceed in forma pauperis should be denied as moot after dismissal of the action.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after reviewing the record, presuming the factual findings correct, and reviewing the legal conclusions de novo.
2. The action was dismissed without prejudice for failure to pay the filing fee, failure to prosecute, and failure to comply with court orders.
3. Plaintiff's motion to proceed in forma pauperis was denied as moot.

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, to prosecute, and to comply with court orders” (at 2)

FACTUAL BACKGROUND

Richard Wood, a state prisoner proceeding pro se, filed a civil rights action seeking relief under 42 U.S.C. § 1983. The action was dismissed without prejudice for failure to pay the filing fee, failure to prosecute, and failure to comply with court orders, for the reasons stated in an earlier August 6, 2025 order.

PROCEDURAL HISTORY

The magistrate judge filed findings and recommendations on October 10, 2025, recommending disposition of the action. The findings and recommendations were served on Plaintiff with a fourteen-day objection deadline, but no objections were filed. The district court presumed the factual findings correct, reviewed the legal conclusions de novo, adopted the findings and recommendations in full, dismissed the action without prejudice, denied the in forma pauperis motion as moot, and directed the Clerk to close the case.

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)

OPINION

Salmonson

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 RICHARD WOOD,

12 Plaintiff, No. 2:25-cv-2098-TLN-JDP (P) 13 v. 14 S. SALMONSON, et al., ORDER 15
Defendants. 16 17 Plaintiff Richard Wood (“Plaintiff”), a state prisoner proceeding pro se, has
filed this civil 18 rights action 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 October 10, 2025, the magistrate judge filed findings and recommendations which 21 were
served on Plaintiff, and which contained notice to Plaintiff that any objections to the 22 findings
and recommendations were to be filed within fourteen (14) days. (ECF No. 5.) This 23 deadline
has passed, and no objections have been filed. 24 The Court presumes that any findings of fact are
correct. See Orand v. United States, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s
conclusions of law are reviewed de novo. 26 See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir.
2007) (“[D]eterminations of law by the 27 magistrate judge are reviewed de novo by both the
district court and [the appellate] court[.]”). 28 Having reviewed the file, the Court finds the
findings and recommendations to be supported by 1 | the record and by the proper analysis. 2
Accordingly, IT IS HEREBY ORDERED that: 3 1. The findings and recommendations filed
October 10, 2025, (ECF No. 5), are ADOPTED 4 in full; 5 2. This action is DISMISSED without
prejudice for failure to pay the filing fee, to prosecute, 6 and to comply with court orders for the
reasons set forth in the August 6, 2025 order (ECF

7 No. 4);

8 3. Plaintiff’s motion to proceed in forma pauperis, (ECF No. 3), is DENIED as moot; and 9 4.
The Clerk of Court is directed to CLOSE the case. 10 || Date: November 10, 2025 11 12

13 TROY L. NUNLEY

14 CHIEF UNITED STATES DISTRICT JUDGE

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