

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Christy L. Spector v. David E. Spector, et al.

Spector v. Spector · No. 2:24-cv-2170-TLN-JDP · Decided March 31, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s February 11, 2025 findings and recommendations after no objections were filed. The court dismissed the plaintiff’s complaint without leave to amend and directed the Clerk of Court to close the case.

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 31, 2025
DOCKET	2:24-cv-2170-TLN-JDP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after no party filed objections, adopted them, dismissed the complaint without leave to amend, and directed the clerk to close the case.
STANDARD OF REVIEW	The district court presumed the magistrate judge's findings of fact correct because no objections were filed and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	unpublished and nonprecedential

TOPICS

- motions to dismiss
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- federal civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations when no objections were filed.
2. Whether the complaint should be dismissed without leave to amend.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations after finding them supported by the record and proper analysis.
2. The complaint was dismissed without leave to amend.

KEY QUOTATIONS

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

“Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.” (1)

FACTUAL BACKGROUND

The order does not recite substantive facts concerning the parties' underlying dispute. It addresses only the magistrate judge's findings and recommendations and the absence of objections from the parties.

PROCEDURAL HISTORY

On February 11, 2025, the magistrate judge filed findings and recommendations and served them on the parties with notice of a fourteen-day objection period. No objections were filed. The district court presumed the factual findings correct, reviewed the legal conclusions de novo, adopted the findings and recommendations, dismissed the complaint without leave to amend, and closed 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

(PS) Spector v. Spector

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 CHRISTY L. SPECTOR, Case No. 2:24-cv-2170-TLN-JDP 12 Plaintiff, 13 v. ORDER 14

DAVID E. SPECTOR, et al., 15 Defendants. 16 17 On February 11, 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. No objections were filed. 20 The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 21 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. 22 See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the 23 magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). 24 Having reviewed the file, the court finds the findings and recommendations to be supported by 25 the record and by the proper analysis. 26 Accordingly, IT IS HEREBY ORDERED that: 27

1. The proposed Findings and Recommendations filed February 11, 2025 (ECF No. 4) are
28 1 | ADOPTED; 2 2. Plaintiffs complaint (ECF No. 1) is DISMISSED without leave to amend;
and 3 3. The Clerk of Court is directed to close this case. 4 IT IS SO ORDERED. 5 | Date: March
28, 2025 6 8

9 TROY L. NUNLEY

CHIEF UNITED STATES DISTRICT JUDGE

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