

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

John Fial v. Hon. Meagan A. Flynn, in her official capacity as Chief Justice of the Oregon Supreme Court; Nancy Cozine, in her official capacity as State Court Administrator of Oregon; and Casey Coddington, in his official capacity as Superintendent of the Oregon State Police

Fial v. Flynn · No. 3:25-cv-01496-YY · Decided June 17, 2026

OPINION

Fial

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOHN FIAL, Case No. 3:25-cv-01496-YY Plaintiff, ORDER ADOPTING FINDINGS AND
RECOMMENDATION

v. HON. MEAGAN A. FLYNN, in her official capacity as Chief Justice of the Oregon Supreme Court; NANCY COZINE, in her official capacity as State Court Administrator of Oregon; and CASEY CODDINGTON, in his official capacity as Superintendent of the Oregon State Police, Defendants. IMMERGUT, District Judge. On May 8, 2026, Magistrate Judge You issued her Findings and Recommendation (“F&R”), ECF 37. The F&R recommends that this Court grant Defendants’ Motion to Dismiss, ECF 17. Plaintiff timely filed objections to the F&R, ECF 40, and Defendants filed a response, ECF 41. This Court has reviewed de novo the portions of the F&R to which Plaintiff objected and ADOPTS Magistrate Judge You’s F&R in full. Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. See *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154. This Court liberally construes Plaintiff’s objections as he is proceeding pro se. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam). This Court has reviewed de novo the portions of Judge You’s F&R to which Plaintiff objected. Judge You’s F&R, ECF 37, is adopted in full. This Court GRANTS Defendants’

Motion to Dismiss, ECF 17. This Court DISMISSES Plaintiff's Complaint, ECF 1, without leave to amend because "no set of facts can be proved under the amendment to the pleadings that would constitute a valid and sufficient claim or defense." *Barahona v. Union Pac. R.R.*, 881 F.3d 1122, 1134 (9th Cir. 2018) (citations omitted). Therefore, this Court concludes that "amend[ment] would be futile because [Plaintiff] cannot state a plausible basis for relief." *Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1043 (9th Cir. 2011). IT IS SO ORDERED. DATED this 17th day of June, 2026. /s/ Karin J. Immergut Karin J. Immergut United States District Judge