

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Kevin Lewis, Jr. v. CDCR CSP SAC, et al.

Lewis v. CDCR CSP SAC · No. 2:24-cv-3001-DC-JDP (PC) · Decided September 4, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge's findings and recommendations after the plaintiff filed no objections. The court dismissed the § 1983 action without prejudice for failure to prosecute, failure to comply with court orders, and failure to state a claim, and directed the Clerk to close the case.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 KEVIN LEWIS, JR., Case No. 2:24-cv-3001-DC-JDP (PC) 12 Plaintiff, 13
v. ORDER ADOPTING FINDINGS AND RECOMMENDATIONS 14 CDCR CSP SAC, et al.,
(ECF No. 10) 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed this civil
rights action seeking relief 18 under 42 U.S.C. § 1983.

The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)
(B) and Local Rule 302. 20 On August 1, 2025, the magistrate judge filed findings and
recommendations herein, 21 which were served on plaintiff and contained notice to plaintiff that
any objections to the findings 22 and recommendations were to be filed within fourteen days.

Plaintiff has not filed objections to 23 the findings and recommendations. 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 proper analysis. 2 Accordingly, IT IS HEREBY ORDERED that: 3 1. The
findings and recommendations filed August 1, 2025, (ECF No. 10) are adopted in 4 full; 5 2. This
action is DISMISSED without prejudice for failure to prosecute, failure to 6 comply with court
orders, and failure to state a claim for the reasons set forth in the 7 court's March 3, 2025 order;
and 8 3.

The Clerk of the Court is directed to close the case. 9 10 IT IS SO ORDERED. □ 12 | Dated: _
September 4, 2025 Qe os Dena Coggins 13 United States District Judge 14 15 16 17 18 19 20 21

22 23 24 25 26 27 28

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