

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Joseph Becker v. Warden Sherman, et al.

Becker v. Sherman · No. 1:16-cv-0828 JLT HBK · Decided September 12, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted in full the magistrate judge's findings and recommendations concerning Joseph Becker's request to reopen his dismissed civil-rights action based on an alleged breach of the parties' settlement agreement. The court concluded that it had not retained jurisdiction over the settlement agreement and denied the request for relief.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 JOSEPH BECKER,) Case No.: 1:16-cv-0828 JLT HBK) 12 Plaintiff,)
ORDER ADOPTING IN FULL THE FINDINGS) AND RECOMMENDATIONS AND
DENYING 13 v.) PLAINTTIF'S REQUEST FOR RELIEF) 14 WARDEN SHERMAN, et al.,)
(Docs. 163, 165)) 15 Defendants.)) 16 17 Joseph Becker asserted the defendants were liable for
violations of his civil rights.

The parties 18 settled this matter during a settlement conference with the Court in April 2020.
(Doc. 156.) Based 19 upon the stipulation of the parties, the Court dismissed the matter with
prejudice pursuant to Rule 41 of 20 the Federal Rules of Civil Procedure on June 22, 2020. (Docs.
161, 162.)

On June 16, 2025, Plaintiff 21 filed a letter with the Court, asserting that the defendants have
breached the settlement agreement and 22 requesting the Court's help. (Doc. 163.) 23 The
magistrate judge found that the Court did not retain jurisdiction over the settlement 24 agreement,
because "the dismissal stipulated to by the Parties did not contain an explicit retention of 25
federal jurisdiction and a settlement agreement was not incorporated into the parties' stipulation
for 26 dismissal or the district court's order dismissing that action." (Doc.

165 at 3, citing Kelly v. Wengler, 27 822 F.3d 1085, 1095 (9th Cir. 2016); Kang v. Harrison, 789
Fed. Appx. 68, 69 (9th Cir. 2019).) 28 Consequently, the magistrate judge found any assertion that
the defendants breached the settlement 1 || agreement must be raised in the state court. (/d. at 4,
citing 18 U.S.C. § 3626(c)(2).)

The magistrate 2 || judge also found that even if the Court construed the matter as a motion for relief under Rule 60(b) 3 || the Federal Rules of Civil Procedure, there was no showing that the motion was filed “within a 4 ||reasonable time.” (/d. at 4.)

Therefore, the magistrate judge recommended the Court deny 5 || request to reopen this case for breach of the settlement agreement. (/d.) 6 The Court served the Findings and Recommendations on Plaintiff and notified him that any 7 || objections were due within 14 days. (Doc. 165 at 4.)

The Court advised him that the “failure to file 8 || any objections within the specified time may result in the waiver of certain rights on appeal.” (d. at. 9 || citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, 10 || and the time to do so has passed. 11 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case.

12 || Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are 13 || supported by the record and proper analysis. Thus, the Court ORDERS: 14 1. The Findings and Recommendations dated August 13, 2025 (Doc. 165) are ADOPTED 15 in full. 16 2. Plaintiff's request for relief, construed as a motion to reopen the case for breach of the 17 settlement agreement (Doc 165), is DENIED.

18 19 IT IS SO ORDERED. 20 || Dated: _ September 12, 2025 (LAW pA L. wan TED STATES DISTRICT JUDGE 22 23 24 25 26 27 28