

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Brenda Pandos v. John and Jane Does

Pandos · No. 2:23-cv-2111-DJC-JDP (PS) · Decided February 28, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the Magistrate Judge’s findings and recommendations after no objections were filed. The court struck the complaint, directed the Clerk to return it to the plaintiff, and ordered the case closed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	2:23-cv-2111-DJC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after no party filed objections.
STANDARD OF REVIEW	The district court presumed the magistrate judge's findings of fact to be correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

pleadings civil procedure

PRACTICE AREAS

civil procedure civil rights litigation

QUESTIONS PRESENTED

- Whether the district court should adopt the magistrate judge's findings and recommendations when no objections were filed.

2. Whether the complaint should be stricken and the case closed as recommended by the magistrate judge.

HOLDINGS

1. The district court adopted the magistrate judge's proposed findings and recommendations after reviewing the record and finding them supported by the record and proper analysis.
2. The complaint was stricken, returned to plaintiff, and the case was closed.

KEY QUOTATIONS

“The Magistrate Judge’s conclusions of law are reviewed de novo.” (at 1)

FACTUAL BACKGROUND

The opinion contains no substantive factual background concerning the underlying civil-rights claims. The relevant facts for this order are that plaintiff filed a complaint, the magistrate judge issued findings and recommendations, and no objections were filed.

PROCEDURAL HISTORY

On January 21, 2025, the magistrate judge filed findings and recommendations and served notice that objections were due within fourteen days. No objections were filed. The district court adopted the findings and recommendations, struck the complaint, directed the clerk to return it to plaintiff, and closed the case.

DISPOSITION

other

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

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 BRENDA PANDOS, Case No. 2:23-cv-2111-DJC-JDP (PS) 12 Plaintiff, 13
v. ORDER 14 JOHN AND JANE DOES, 15 Defendants. 16 17 On January 21, 2025, the
Magistrate Judge filed findings and 18 recommendations herein which were served on the parties
and which contained 19 notice that any objections to the findings and recommendations were to be
filed 20 within fourteen days.

No objections were filed. 21 The Court presumes that any findings of fact are correct. See Orand v.
United 22 States, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge’s conclusions of law 23
are reviewed de novo. See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007) 24

(“[D]eterminations of law by the magistrate judge are reviewed de novo by both the 25 district court and [the appellate] court....”).

Having reviewed the file, the Court finds 26 the findings and recommendations to be supported by the record and by the proper 27 analysis. 28 1 2 Accordingly, IT IS HEREBY ORDERED that: 3 1. The proposed Findings and Recommendations filed January 21, 2025, are 4 | ADOPTED; 5 2.

The complaint, ECF No. 1, is STRICKEN; 6 3. The Clerk of Court is directed to return the complaint to plaintiff, see E.D. Cal. 7 | L.R. 141(e)(1), and to close the case. 8 9 IT IS SO ORDERED. 10 | Dated: _February 27, 2025 “Daniel A CoD tto— Hon. Daniel alabretta ” UNITED STATES DISTRICT JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28