

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Harley v. County of Contra Costa

Harley · No. 2:24-cv-3059-TLN-JDP · Decided March 31, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after considering the plaintiff’s objections. The court dismissed the first amended complaint without leave to amend for lack of jurisdiction, denied leave to file another amended complaint, and directed the clerk 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-3059-TLN-JDP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after the plaintiff filed objections.
STANDARD OF REVIEW	The court presumed any factual findings by the magistrate judge to be correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	Unknown
PARTIES	Raoul E. Harley Jr. v. County of Contra Costa

TOPICS

- subject matter jurisdiction
- motion to amend
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted after review of plaintiff's objections.
2. Whether plaintiff's first amended complaint should be dismissed without leave to amend for lack of jurisdiction.
3. Whether plaintiff should be granted leave to file an amended complaint.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations after considering plaintiff's objections and determining that the recommendations were supported by the record and proper analysis.
2. The first amended complaint was dismissed without leave to amend for lack of jurisdiction.
3. Plaintiff's motion for leave to file an amended complaint was denied.

KEY QUOTATIONS

“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court” (at 1)

FACTUAL BACKGROUND

The opinion does not recount the underlying factual allegations. It concerns plaintiff's first amended complaint, a motion for leave to file another amended complaint, and objections to the magistrate judge's findings and recommendations.

PROCEDURAL HISTORY

The magistrate judge filed findings and recommendations on February 11, 2025, recommending disposition of the action. Plaintiff filed objections on February 24, 2025. The district court adopted the findings and recommendations, dismissed the first amended complaint without leave to amend for lack of jurisdiction, denied plaintiff's motion for leave to file an amended complaint, and directed the clerk to close 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) Harley v. County of Contra Costa
PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 RAOUL E HARLEY JR., Case No. 2:24-cv-3059-TLN-JDP 12 Plaintiff, 13 v. ORDER

14 COUNTY OF CONTRA COSTA,

15 Defendant. 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. Plaintiff Raoul E Harley Jr. 20
("Plaintiff") filed objections on February 24, 2025, and they were considered by the undersigned.

21 The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 22
F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. 23
See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the 24
magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .").

25 Having reviewed the file, the court finds the findings and recommendations to be supported by
26 the record and by the proper analysis. 27 Accordingly, IT IS HEREBY ORDERED that: 28 1.

The proposed Findings and Recommendations filed February 11, 2025 (ECF No. 6) are 1 |
adopted; 2 2. Plaintiffs first amended complaint (ECF No. 4) is DISMISSED without leave to 3 |
amend for lack of jurisdiction; 4 3. Plaintiff's motion for leave to file an amended complaint (ECF
No. 7) is DENIED; and 5 4. The Clerk of Court is directed to close the case. 6 IT IS SO
ORDERED. 7 | Date: March 28, 2025 8 9 10

11 TROY L. NUNLEY

CHIEF UNITED STATES DISTRICT JUDGE

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