

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Owens v. Schultz

Owens · No. 1:24-cv-0820 · Decided August 19, 2025

OPINION

(PC)Owens v. Schultz

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 MARVIN LAMARR OWENS, Case No.: 1:24-cv-0820 JLT SKO 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS IN FULL,

13 v. DISMISSING THE ACTION FOR FAILURE

TO STATE A CLAIM UPON WHICH RELIEF

14 J. SCHULTZ, et al., CAN BE GRANTED, AND DIRECTING THE

CLERK OF COURT TO CLOSE THIS CASE

15 Defendants. (Doc. 14) 16 17 Marvin LaMarr Owens seeks to hold the defendants liable for
violations of his 18 constitutional rights while he was housed at Wasco State Prison, replated to
alleged false 19 information added to Plaintiff's C-file in 2016. (See generally Doc. 12.) The
magistrate judge 20 screened Plaintiff's amended complaint pursuant to 28 U.S.C. § 1915A(a) and
found he failed to 21 state a cognizable claim upon which relief can be granted. (Doc. 14 at 2-6.)
The magistrate judge 22 also found further leave to amend would be futile. (Id. at 6.) Therefore,
the magistrate judge 23 recommended the Court dismiss the action "for Plaintiff's failure to state a
claim upon which 24 relief can be granted." (Id. at 7.) 25 The Court served the Findings and
Recommendations on Plaintiff and notified him that 26 any objections were due within 14 days.
(Doc. 14 at 7.) The Court advised him that the "failure 27 to file any objections within the
specified time may result in the waiver of certain rights on appeal." (Id., citing *Wilkerson v.*
Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did 1 | not file objections, and the time
do so has expired. 2 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review
of this case. 3 | Having carefully reviewed the matter, the Court concludes the Findings and
Recommendations 4 | are supported by the record and proper analysis. Thus, the Court ORDERS:
5 1. The Findings and Recommendations issued on July 28, 2025 (Doc. 14) are 6 ADOPTED in
full. 7 2. The first amended complaint is DISMISSED without leave to amend, for a failure 8 to
state a claim upon which relief can be granted. 9 3. The Clerk of Court is directed to close this

case. 10 IT IS SO ORDERED. 12 | Dated: _August 19, 2025 Cerin | Tower
TED STATES DISTRICT JUDGE
13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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