

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Nasiri v. Pfizer, Inc.

Nasiri · No. 2:24-cv-2111-KJM-CKD (PS) · Decided May 16, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after the plaintiff failed to file objections. The court dismissed the action for failure to prosecute under Federal Rule of Civil Procedure 41(b) and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 16, 2025
DOCKET	2:24-cv-2111-KJM-CKD (PS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after the plaintiff failed to object.
STANDARD OF REVIEW	The district court presumed the magistrate judge's findings of fact correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unknown
PARTIES	Zabiullah Nasiri v. Pfizer, Inc.

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations when the plaintiff filed no objections.
2. Whether the action should be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full because they were supported by the record and proper analysis, and the plaintiff had filed no objections.
2. The action was dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b).

KEY QUOTATIONS

“The magistrate judge’s conclusions of law are reviewed *de novo*.” (at 1)

“This action is dismissed for failure to prosecute.” (at 2)

FACTUAL BACKGROUND

The plaintiff failed to object to the magistrate judge's findings and recommendations within the prescribed fourteen-day period. The record and the magistrate judge's analysis supported dismissal for failure to prosecute.

PROCEDURAL HISTORY

The matter was referred to a United States Magistrate Judge under Local Rule 302(c)(21). The magistrate judge issued findings and recommendations, with notice that objections were due within fourteen days. Plaintiff filed no objections. The district court adopted the findings and recommendations in full, dismissed the action for failure to prosecute, 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) Nasiri v. Pfizer, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 ZABIULLAH NASIRI. No. 2:24-cv-2111-KJM-CKD (PS)

12 Plaintiff, 13 v. ORDER

14 PFIZER, INC.,

15 Defendant. 16

17 18 This matter was referred to a United States Magistrate Judge under Local Rule 302(c)(21).
19 On April 17, 2025, the magistrate judge filed findings and recommendations, which contained
20 notice that any objections to the findings and recommendations were to be filed within fourteen
21 days. Plaintiff has not objected to the findings and recommendations. 22 The court presumes
that any findings of fact are correct. See *Orand v. United States*, 23 602 F.2d 207, 208 (9th Cir.
1979). The magistrate judge’s conclusions of law are reviewed 24 de novo. See *Robbins v. Carey*,
481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law 25 by the magistrate judge are
reviewed de novo by both the district court and [the appellate] court 26”). Having reviewed
the file, the court finds the findings and recommendations to be 27 supported by the record and by
the proper analysis. 28 //] Accordingly, IT IS HEREBY ORDERED that: 2 1. The findings and
recommendations filed April 7, 2025 (ECF No. 6), are adopted in 3 full. 4 2. This action is
dismissed for failure to prosecute. See Fed. R. Civ. P. 41(b). 5 3. The Clerk of Court is directed to
close this case. 6 || DATED: May 15, 2025. 8 = | ¥ FU/ Fees

5 STATES DISTRICT JUDGE

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