

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Leroy Veal v. CAL/PIA Meat Plant Supervisor

Veal v. CAL/PIA Meat Plant Supervisor, No. 2:24-cv-01490-EFB (PC) (E.D. Cal. July 17, 2025) · No. 2:24-cv-01490-EFB (PC) · Decided July 17, 2025

SUMMARY

The court recommends dismissing Leroy Veal’s 42 U.S.C. § 1983 action without prejudice because he failed to file an amended complaint after the court dismissed his original complaint with leave to amend. The order also directs the clerk to randomly assign a district judge and explains the procedure and deadline for filing objections to the findings and recommendations.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 LEROY VEAL, No. 2:24-cv-01490-EFB (PC) 12 Plaintiff, 13 v. ORDER
AND FINDINGS AND RECOMMENDATIONS 14 CAL/PIA MEAT PLANT SUPERVISOR, 15
Defendant. 16 17 Plaintiff, a state inmate, proceeds without counsel in an action brought under 42
U.S.C. § 18 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28
U.S.C. § 19 636(b)(1).

20 On May 13, 2025, the court screened plaintiff’s complaint pursuant to 28 U.S.C. § 1915A. 21
ECF No. 8. The court dismissed the complaint with leave to amend within 30 days for failure to
22 state a claim. Id. The screening order warned plaintiff that failure to comply could result in a
23 recommendation that this action be dismissed. 24 The time for acting has now passed and
plaintiff has not filed an amended complaint or 25 otherwise responded to the court’s order.

Thus, it appears that plaintiff is unable or unwilling to 26 cure the defects in the complaint. 27 ///
28 ///
] Accordingly, it is ORDERED that the Clerk of Court randomly assign a district judge to 2
|| this action. It is further RECOMMENDED that this action be DISMISSED without prejudice for
3 || the reasons stated in the May 13, 2025 screening order. 4 These findings and recommendations
are submitted to the United States District Judge 5 || assigned to the case, pursuant to the
provisions of 28 U.S.C. § 636(b)(1).

Within fourteen days 6 || after being served with these findings and recommendations, any party
may file written 7 || objections with the court and serve a copy on all parties. Such a document
should be captioned 8 | “Objections to Magistrate Judge’s Findings and Recommendations.” Any
response to the 9 || objections shall be served and filed within fourteen days after service of the
objections.

The 10 || parties are advised that failure to file objections within the specified time may waive the
right to 11 || appeal the District Court's order. Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998);
Martinez 12 | v. Yist, 951 F.2d 1153 (9th Cir. 1991). 13 14 | Dated: July 17, 2025 Za! ibttic > DE
44 EDMUND F. BRENNAN 15 UNITED STATES MAGISTRATE JUDGE 16 17 18 19 20 21 22
23 24 25 26 27 28

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