

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Dailey v. Ellis

No. 2:23-cv-0786 TLN CSK P · No. 2:23-cv-0786 TLN CSK P · 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 Plaintiff Sharon N. Dailey failed to file objections. The court dismissed the § 1983 action for failure to prosecute.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 SHARON N. DAILEY, No. 2:23-cv-0786 TLN CSK P 12 Plaintiff, 13 v.
ORDER 14 JOHN B. ELLIS, et al., 15 Defendants. 16 17 Plaintiff Sharon N. Dailey (“Plaintiff”),
proceeding pro se, filed this civil rights action 18 seeking relief under 42 U.S.C. § 1983.

The matter was referred to a United States Magistrate 19 Judge pursuant to 28 U.S.C. § 636(b)(1)
(B) and Local Rule 302. 20 On February 18, 2025, the magistrate judge filed findings and
recommendations which 21 were served on plaintiff and which contained notice that any
objections to the findings and 22 recommendations were to be filed within fourteen (14) days.

This deadline has passed, and 23 Plaintiff has not filed any objections. 24 The Court presumes that
any findings of fact are correct. See *Orand v. United States*, 602 25 F.2d 207, 208 (9th Cir. 1979).
The magistrate judge’s conclusions of law are reviewed de novo. 26 See *Robbins v. Carey*, 481
F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the 27 magistrate judge are reviewed
de novo by both the district court and [the appellate] court[.]”).

28 Having reviewed the file, the Court finds the findings and recommendations to be supported by
1 | the record and by the proper analysis. 2 Accordingly, IT IS HEREBY ORDERED that: 3 1. The
findings and recommendations (ECF No. 23) are ADOPTED in full; and 4 2. This action is
DISMISSED for failure to prosecute. 5 6 Date: March 28, 2025 8 9 TROY L. NUNLEY CHIEF
UNITED STATES DISTRICT JUDGE 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28