

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Edward D. Gilmore v. D. Castillo

Gilmore v. Castillo · No. 1:21-cv-00617 JLT GSA (PC) · Decided September 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations granting Defendant's motion for terminating sanctions under Federal Rule of Civil Procedure 37(b)(2)(A)(v). The action was dismissed with prejudice under Rules 37(b)(2)(A)(v) and 41(b), and the Clerk was directed to close the case.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 EDWARD D. GILMORE, No. 1:21-cv-00617 JLT GSA (PC) 12 Plaintiff,
ORDER ADOPTING FINDINGS AND RECOMMENDATIONS 13 v. (Doc. 44) 14 D.
CASTILLO, 15 Defendant. 16 17 The magistrate judge issued findings and recommendations to
grant Defendant's motion 18 for terminating sanctions pursuant to Federal Rule of Civil Procedure
37(b)(2)(A)(v).

(Doc. 44.) 19 The Court served the Findings and Recommendations on Plaintiff and notified him
that any 20 objections to the findings and recommendations were due within 14 days. (Id. at 9.)
Plaintiff has 21 not filed objections, and the time to do so has passed. 22 According to 28 U.S.C. §
636(b)(1)(C), this Court performed a de novo review of this 23 case.

Having carefully reviewed the matter, the Court concludes the Findings and 24 Recommendations
are supported by the record and proper analysis. Thus, the Court ORDERS: 25 1. The findings and
recommendations issued August 29, 2025 (Doc. 44), are ADOPTED 26 IN FULL. 27 2.
Consistent with Federal Rules of Civil Procedure 37(b)(2)(A)(v) and 41(b); Malone v. 28 United
States Postal Service, 833 F.2d 128, 130 (9th Cir.

1987), and Local Rule 110, Defendant's 1 | motion for terminating sanctions (Doc. 40) is
GRANTED. 2 3. This matter is DISMISSED with prejudice. 3 4. The Clerk of Court is directed to
CLOSE this case. 4 5 IT IS SO ORDERED. 6 Dated: _ September 22, 2025 Cerin | Tower TED
STATES DISTRICT JUDGE 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28