

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Antoine L. Ardds v. V. Kieu, C. Lundgren, and J. Levin

No. 2:20-cv-0133-TLN-CSK, United States District Court for the Eastern District of California (March 11, 2025)

SUMMARY

The United States District Court for the Eastern District of California reviewed a magistrate judge’s findings and recommendations in a prisoner civil-rights action under 42 U.S.C. § 1983. The court overruled or rejected the objections, adopted the findings and recommendations in full, and granted defendants’ motion for summary judgment.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 11, 2025
DOCKET	2:20-cv-0133-TLN-CSK
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations on the parties' summary judgment motion after the plaintiff filed objections.
STANDARD OF REVIEW	The court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- section 1983
- prisoners rights
- summary judgment
- civil procedure

PRACTICE AREAS

- civil rights
- federal civil procedure
- prisoner litigation

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted after review of plaintiff's objections.
2. Whether defendants were entitled to summary judgment.

HOLDINGS

1. The findings and recommendations were supported by the record and proper legal analysis and were adopted in full.
2. Defendants' motion for summary judgment was granted.
3. The district court presumes factual findings correct and reviews legal conclusions de novo.

KEY QUOTATIONS

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

FACTUAL BACKGROUND

Antoine L. Ardds, a state prisoner proceeding pro se, filed a civil rights action against V. Kieu, C. Lundgren, and J. Levin under 42 U.S.C. § 1983. The opinion does not independently recount the underlying factual allegations; instead, it adopts the magistrate judge's findings and recommendations after reviewing the complete record and plaintiff's objections.

PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se, brought a civil rights action under 42 U.S.C. § 1983. The matter was referred to a magistrate judge, who issued findings and recommendations on January 16, 2025. After an extension, plaintiff objected. The district court reviewed the record and objections, adopted the findings and recommendations in full, and granted defendants' summary judgment motion.

DISPOSITION

other

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

(PC) Ardds v. Kieu

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 ANTOINE L. ARDDS, No. 2:20-cv-0133-TLN-CSK

12 Plaintiff, 13 v. ORDER 14 V. KIEU, C. LUNDGREN AND J.

LEVIN,

15 Defendants. 16

17 18 Plaintiff Antoine L. Ardds (“Plaintiff”), a state prisoner proceeding pro se, filed this civil 19
rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States 20
Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 21 On January 16,
2025, the magistrate judge filed findings and recommendations which 22 were served on all
parties and which contained notice that any objections to the findings and 23 recommendations
were to be filed within fourteen days. Following an extension of time, plaintiff 24 filed objections
to the findings and recommendations. 25 The Court presumes that any findings of fact are correct.
See *Orand v. United States*, 602 26 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s
conclusions of law are reviewed de novo. 27 See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir.
2007) (“[D]eterminations of law by the 28 magistrate judge are reviewed de novo by both the
district court and [the appellate] 1 court[.]”). Having reviewed the entire file, including the
objections, the Court finds the findings 2 | and recommendations to be supported by the record and
by the proper analysis. 3 Accordingly, IT IS HEREBY ORDERED that: 4 1. The findings and
recommendations, (ECF No. 90), are ADOPTED in full; and 5 2. Defendants’ summary judgment
motion, (ECF No. 77), is GRANTED. 6 | Date: March 10, 2025 4 8 9 Luu bly

TROY L. NUWLEY

CHIEF UNITED STATES DISTRICT JUDGE

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