

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lucio Justo Ramos Carrillo v. Dutch Embassy, et al.

Carrillo v. Dutch Embassy · No. 2:25-cv-2311-TLN-CKD P · Decided November 4, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations after Plaintiff filed no objections. The court dismissed the action without prejudice and directed the Clerk of Court to close the case.

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	November 4, 2025
DOCKET	2:25-cv-2311-TLN-CKD P
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a prisoner civil-rights action under 42 U.S.C. § 1983. After a magistrate judge issued findings and recommendations, and no objections were filed, the district court adopted the findings and recommendations and dismissed the action without prejudice.
STANDARD OF REVIEW	The district court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.

TOPICS

- section 1983
- prisoners rights
- civil procedure

PRACTICE AREAS

- civil rights
- civil procedure
- prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations after the plaintiff failed to file objections.
2. Whether the action should be dismissed without prejudice pursuant to the magistrate judge's findings and recommendations.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after finding them supported by the record and proper analysis, and after the plaintiff failed to file objections.
2. The action was dismissed without prejudice.

KEY QUOTATIONS

“The Court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo.” (at 1)

“This action is DISMISSED without prejudice” (at 1)

FACTUAL BACKGROUND

Plaintiff Lucio Justo Ramos Carrillo was incarcerated at San Joaquin County Jail and proceeded pro se. He filed a civil-rights action seeking relief under 42 U.S.C. § 1983 against the Dutch Embassy and other defendants. The opinion does not include the underlying allegations because it resolves the matter by adopting the magistrate judge's findings and recommendations.

PROCEDURAL HISTORY

Plaintiff, a San Joaquin County Jail prisoner proceeding pro se, initiated this § 1983 action. The matter was referred to a magistrate judge, who filed findings and recommendations on September 26, 2025. Plaintiff did not object within the fourteen-day period, and the district court adopted the findings and recommendations in full, dismissed the action without prejudice, 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)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-63 (9th Cir. 1992)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 LUCIO JUSTO RAMOS CARRILLO, 12 Plaintiff, No. 2:25-cv-2311-TLN-

CKD P 13 v. 14 DUTCH EMBASSY, et al., ORDER 15 Defendants. 16 17 Plaintiff Lucio Justo Ramos Carrillo (“Plaintiff”), a San Joaquin County Jail prisoner 18 proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983.

The matter 19 was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) (B) and Local 20 Rule 302. 21 On September 26, 2025, the magistrate judge filed findings and recommendations which 22 were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings 23 and recommendations were to be filed within fourteen (14) days.

(ECF No. 6.) This deadline has 24 passed, and no objections have been filed. 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] court[.]”).

1 | Having reviewed the file, the Court finds the findings and recommendations to be supported by 2 | the record and by the proper analysis. See also *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-63 (9th 3 | Cir. 1992) (dismissing case for failure to comply with court order). 4 Accordingly, IT IS HEREBY ORDERED that: 5 1.

The findings and recommendations filed September 26, 2025, (ECF No. 6), are 6 ADOPTED in full; and 7 2. This action is DISMISSED without prejudice; and 8 3. The Clerk of Court is directed to CLOSE this case. 9 | Date: November 3, 2025 10 11 7, 12 TROY L. NUNLEY B CHIEF UNITED STATES DISTRICT JUDGE 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28