

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Barra v. Boudreaux

Barra · No. 1:24-cv-0966 JLT BAM · Decided March 31, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted in full the magistrate judge’s findings and recommendations concerning Anthony Lawrence Barra’s amended civil-rights complaint. The court dismissed the action for failure to state a claim after Plaintiff failed to file objections and had not cured previously identified pleading deficiencies. The clerk was directed to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 31, 2025
DOCKET	1:24-cv-0966 JLT BAM
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pretrial detainee brought a civil-rights action under 42 U.S.C. § 1983. After screening the amended complaint under 28 U.S.C. § 1915A, the magistrate judge recommended dismissal for failure to state a claim, and the district court reviewed and adopted the findings and recommendations.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1)
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- prisoners rights
- civil rights
- section 1983
- pleadings
- civil procedure

PRACTICE AREAS

- civil rights litigation
- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations dismissing the amended civil-rights complaint for failure to state a claim should be adopted after de novo review.
2. Whether further leave to amend was warranted after Plaintiff failed to cure the identified pleading deficiencies.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after conducting de novo review under 28 U.S.C. § 636(b)(1).
2. The action was dismissed for failure to state a claim.
3. Further leave to amend was not warranted because Plaintiff failed to cure the pleading deficiencies after receiving the applicable legal standards.

KEY QUOTATIONS

“The action is DISMISSED for failure to state a claim.” (at 2)

“The Findings and Recommendations dated February 27, 2025 (Doc. 10) are ADOPTED in full.” (at 2)

FACTUAL BACKGROUND

Anthony Lawrence Barra was a pretrial detainee housed at the Bob Wiley Detention Facility in Visalia, California. He alleged that the defendants violated his civil rights. Following screening of his amended complaint, the magistrate judge found that the allegations did not state a cognizable claim and that Plaintiff had failed to cure pleading deficiencies after being given the applicable legal standards.

PROCEDURAL HISTORY

Plaintiff filed an amended complaint alleging civil-rights violations while detained at the Bob Wiley Detention Facility. The magistrate judge screened the complaint under 28 U.S.C. § 1915A(a), determined that Plaintiff failed to state a cognizable claim, and concluded that further leave to amend was unwarranted because Plaintiff had not cured previously identified pleading deficiencies. After Plaintiff failed to object within the prescribed period, the district court conducted de novo review, adopted the findings and recommendations in full, dismissed the action, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

OPINION

(PC) Barra v. Boudreaux

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 ANTHONY LAWRENCE BARRA,) Case No.: 1:24-cv-0966 JLT BAM) 12 Plaintiff,)

ORDER ADOPTING IN FULL THE FINDINGS

) AND RECOMMENDATIONS, DISMISSING THE

13 v.) ACTION FOR FAILURE TO STATE A CLAIM,

) AND DIRECTING THE CLERK OF COURT TO

14 BOUDREAUX, et al.,) CLOSE THE CASE) 15 Defendants.) (Doc. 10)) 16 17 Anthony

Lawrence Barra seeks to hold the defendants liable for violations of his civil rights 18 while a

pretrial detainee housed at the Bob Wiley Detention Facility in Visalia, California. (See 19

generally Doc. 8.) The magistrate judge screened Plaintiff's amended complaint pursuant to 28

U.S.C. 20 § 1915A(a) and found he failed to state a cognizable claim. (Doc. 10 at 3-6.) Because

Plaintiff failed 21 to cure the pleading deficiencies after the Court provided the applicable legal

standards, the magistrate 22 judge found further leave to amend was not warranted. (Id. at 6.)

Therefore, the magistrate judge 23 recommended the Court dismiss the action. (Id.) 24 The Court

served the Findings and Recommendations on Plaintiff and notified him that any 25 objections

were due within 14 days. (Doc. 10 at 6.) The Court advised him that the "failure to file 26

objections within the specified time may result in the waiver of the 'right to challenge the

magistrate's 27 factual findings' on appeal." (Id. at 7, quoting Wilkerson v. Wheeler, 772 F.3d 834,

838-39 (9th Cir. 28 2014).) Plaintiff did not file objections, and the time to do so has passed. 1

According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case. Havi 2 ||

carefully reviewed the matter, the Court concludes the Findings and Recommendations are

supported 3 || by the record and proper analysis. Thus, the Court ORDERS: 4 1. The Findings and

Recommendations dated February 27, 2025 (Doc. 10) are 5 ADOPTED in full. 6 2. The action is

DISMISSED for failure to state a claim. 7 3. The Clerk of Court is directed to close this case. 8 9

IT IS SO ORDERED. Dated: _March 30, 2025 Cerin | Tower

11 TED STATES DISTRICT JUDGE

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