UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TODD A. MURPHY,

Plaintiff,

v.

ANDRE MARIO SMITH

Defendant.

No. 2:25-cv-03479-TLN-CKD

ORDER

This matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21). On January 26, 2026, the magistrate judge filed findings and recommendations herein which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 3.) No party has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court conducted a review of this case. Having carefully reviewed this matter, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations (ECF No. 3) are adopted in full.
2. This action is REMANDED to the Sacramento County Superior Court pursuant to 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction.

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3. The Clerk of Court is directed to serve a certified copy of the order remanding the case on the Clerk of the Sacramento County Superior Court and to reference the state case number 24cv017564 in the proof of service.
4. The motion to proceed in forma pauperis (ECF No. 2) is DENIED as moot.
5. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Date: March 10, 2026

TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE