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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ISABEL VALDEZ VELA,  
  
Plaintiff,  
  
v.  
  
COUNTY OF TULARE SUPERIOR  
COURT,  
  
Defendant.

No. 1:20-cv-01153-NONE-SAB  
  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS WITH RESPECT  
TO DISMISSAL FOR FAILURE TO  
COMPLY WITH A COURT ORDER AND  
FAILURE TO PROSECUTE; ORDER  
DISMISSING ACTION  
  
(Doc. No. 5)

On August 17, 2020, Isabel Valdez Vela, proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. (Doc. No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 25, 2020, the assigned magistrate judge screened the complaint and found plaintiff's complaint failed to state a cognizable claim. (Doc. No. 4.) Plaintiff was granted leave to file an amended complaint within thirty days. (Doc. No. 4.) On August 31, 2020, the August 25, 2020 screening order was returned by the United States Postal Service due to a clerical error in entering plaintiff's address. The order was re-served on the correct address on September 8, 2020. Plaintiff did not file an amended complaint or otherwise respond to the August 25, 2020 order.

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1 Accordingly, on October 20, 2020, the magistrate judge issued findings and  
2 recommendations recommending that this action be dismissed for failure to state a claim, failure  
3 to comply with a court order, and failure to prosecute. (Doc. No. 5.) The findings and  
4 recommendations were served on plaintiff and contained notice that any objections to the  
5 findings and recommendations were to be filed within thirty days from the date of service. (*Id.*)  
6 The period for filing objections has passed and no objections have been filed.

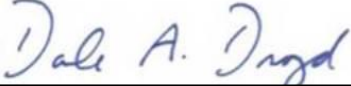
7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
8 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the  
9 findings and recommendations to be supported by the record and by proper analysis with regard  
10 to plaintiff's failure to prosecute and failure to comply with a court order. The court declines to  
11 address and expresses no opinion as to whether plaintiff's complaint fails to state a claim.

12 Accordingly,

- 13 1. The findings and recommendations, filed October 20, 2020, (Doc. No. 5) are  
14 ADOPTED insofar as they dismiss this case for failure to prosecute and failure to  
15 comply with a court order;
- 16 2. This action is DISMISSED for plaintiff's failure to comply with the August 25,  
17 2020 order, and failure to prosecute;
- 18 4. The Clerk of the Court is DIRECTED to assign a district judge to this case for the  
19 purpose of closing the case; and
- 20 5. The Clerk of the Court is DIRECTED to close this action.

21 IT IS SO ORDERED.

22 Dated: December 8, 2020

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UNITED STATES DISTRICT JUDGE