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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALAA ALDAKAK,  
Plaintiff,  
v.  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, et al.,  
Defendants.

No. 2:16-cv-0082 MCE CKD P

ORDER

On January 25, 2015, the undersigned magistrate judge recommended that this action be dismissed for failure to exhaust administrative remedies, and a district judge was assigned to review this recommendation. (ECF No. 4.) Since that time, plaintiff has filed a notice of consent to the jurisdiction of the undersigned magistrate judge for all purposes. 28 U.S.C. § 636(c); Local Rule 302. (ECF No. 8.) As no defendant has been served, plaintiff is the only party to this action.

Plaintiff has filed objections to the findings and recommendations. (ECF No. 7.) Having reviewed this filing, the undersigned concludes there is no basis for modifying its prior conclusion that this action should be dismissed for failure to exhaust.


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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court is directed to: (a) redesignate the undersigned’s findings and recommendations filed January 25, 2016 as an order; and (b) withdraw the assignment of a district judge to this action; and
2. For the reasons stated in this court’s order filed January 25, 2016, this action is dismissed without prejudice for failure to exhaust administrative remedies.

Dated: February 11, 2016

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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