

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

8 DANTE CRAIG,  
9 Plaintiff,  
10 vs.  
11 HERNANDEZ, et al.,  
12 Defendants.  
13  
1:05-cv-01579-AWI-GSA-PC  
ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS  
(Doc. 18.)  
ORDER DISMISSING ACTION, WITH  
PREJUDICE, FOR FAILURE TO STATE  
A CLAIM  
ORDER DIRECTING CLERK TO CLOSE CASE

15 Dante Craig (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action  
16 pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant  
17 to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

18 On January 16, 2009, findings and recommendations were entered, recommending  
19 that this action be dismissed based on plaintiff's failure to state a claim upon which relief may be  
20 granted under § 1983. (Doc. 18.) On February 9, 2009, plaintiff filed timely objections. (Doc. 19.)

21 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73-  
22 305, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
23 file, the court finds the findings and recommendations to be supported by the record and proper  
24 analysis.

25 | Accordingly, THE COURT HEREBY ORDERS that:

26 1. The Findings and Recommendations issued by the Magistrate Judge on January  
27 16, 2009, are adopted in full;

1                   2. This action is dismissed with prejudice, based on plaintiff's failure to state a claim  
2 upon which relief may be granted under § 1983; and  
3                   3. The Clerk of Court is directed to close this case.

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5 IT IS SO ORDERED.

6 **Dated: April 16, 2009**

7                   */s/ Anthony W. Ishii*  
8                   CHIEF UNITED STATES DISTRICT JUDGE

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