

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

DANTE CRAIG,

1:05-cv-01579-AWI-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 18.)

vs.

HERNANDEZ, et al.,

ORDER DISMISSING ACTION, WITH
PREJUDICE, FOR FAILURE TO STATE
A CLAIM

Defendants.

ORDER DIRECTING CLERK TO CLOSE CASE

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

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

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

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on January 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.
4

5 IT IS SO ORDERED.

6 **Dated: April 16, 2009**

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE