UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DARYL K. HOWARD, Plaintiff, v. D R. FOREMAN, et al., Defendants.	CASE NO: 1:07-CV-00063 LJO DLB P ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, AND DISMISSING ACTION FOR FAILURE TO OBEY A COURT ORDER (Doc. 31)

Plaintiff Daryl K. Howard, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 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 December 9, 2008, the Magistrate Judge filed a Findings and Recommendations herein which was served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty days. The parties have not filed timely objections to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), 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 by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed December 9, 2008, is adopted in full; and

2. This action is dismissed based on Plaintiff's failure to obey the Court's order of November 4, 2008.IT IS SO ORDERED.

Dated: February 4, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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