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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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7 JOSE HERNANDEZ,

8 Plaintiff,

1: 07 CV 0071 LJO WMW PC

9  
10 vs.

ORDER RE: FINDINGS &  
RECOMMENDATIONS (#12)

11 ARNOLD SCHWARZENEGGER,

12 Defendant.  
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16 Plaintiff is a state prisoner proceeding pro se in this civil rights action. The matter  
17 was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local  
18 Rule 72-302.

19 On March 4, 2009, [findings and recommendations](#) were entered, recommending  
20 dismissal of this action for failure to prosecute. Plaintiff was provided an opportunity to file  
21 objections within thirty days. Plaintiff has not filed objections to the findings and  
22 recommendations.

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

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on March 4, 2009, are adopted in full; and

2. This action is dismissed without prejudice for failure to prosecute. The Clerk is directed to close this case.

IT IS SO ORDERED.

Dated: April 6, 2009

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