

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY FACESON,

CASE NO. 1:07-cv-00691 LJO DLB PC

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DISMISSING
ACTION FOR PLAINTIFF'S FAILURE TO
STATE A CLAIM UPON WHICH RELIEF
MAY BE GRANTED

v.

MAJERICK,

Defendant.

(Doc. 16)

Plaintiff Anthony Faceson ("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 October 23, 2008, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on plaintiff and which contained notice to plaintiff that any objection to the Findings and Recommendations was to be filed within thirty days. Plaintiff did not file a timely Objection 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 October 23, 2008, is adopted in full; and
2. This action is dismissed for failure to state a claim upon which relief may be granted. IT IS SO ORDERED.

Dated: January 7, 2009/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE