IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY SAMUEL CATO,

Plaintiff,

vs.

DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

_____/

1:08-cv-00555-LJO-SMS-PC

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS (Doc. 27.)

ORDER DISMISSING ACTION FOR FAILURE TO OBEY A COURT ORDER

ORDER DIRECTING CLERK TO CLOSE CASE

Anthony Samuel Cato ("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 November 21, 2008, findings and recommendations were entered, recommending that this action be dismissed based on plaintiff's failure to obey the court's order of August 4, 2008. Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty days. To date, plaintiff has not filed objections or otherwise responded to the findings and recommendations.

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 November 21, 2008, are adopted in full;

2. This action is dismissed in its entirety, based on plaintiff's failure to comply with the court's order of August 4, 2008; and

3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: January 12, 2009 **/s/ Lawrence J. O'Neill**
UNITED STATES DISTRICT JUDGE