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

JANETTA SCONIERS,

CASE NO. CV F 08-1288 LJO SMS

Plaintiff,

**ADDENDUM TO ORDER ADOPTING
FINDINGS AND RECOMMENDATIONS**

vs.

CLARENCE WHITMORE, SR. et al.

Defendants.

Plaintiff is proceeding pro se with an action for damages and other relief concerning alleged civil rights violations. The matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) and Local Rules 72-302 and 72-304. On April 16, 2009, this Court issued an Order Adopting the Magistrate Judge's Findings and Recommendations that this matter should be dismissed for Plaintiff's failure to prosecute the action and to obey the Court's orders to file an amended complaint in conformity with the screening order. (Doc. 19.) Judgment was entered against plaintiff on April 16, 2009. (Doc. 20.)

Plaintiff lodged an amended complaint with the Clerk's office on April 14, 2009, contemporaneously with filing objections to the Findings and Recommendations. The Court was informed of the amended complaint following the entry of the judgment.

Therefore, the Court has *sua sponte* reconsidered its Order Adopting Findings and Recommendations and reaffirms the order dismissing the action. (Doc. 19.) The amended complaint is untimely, and the reasons set forth in the Court's Order remain intact. Plaintiff has failed to comply

1 with this Court's order to timely file an amended complaint. Both the Magistrate Judge and this Court
2 have consumed an inordinate amount of time in review, processing and consideration of plaintiff's
3 allegations. The interests of judicial economy and the Court's interest in managing its docket are
4 additional reasons the Court reaffirms the Order to dismiss this action.

5 IT IS SO ORDERED.

6 **Dated:** April 17, 2009

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

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