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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JETHRO L. LARKIN, II,  
Plaintiff,  
v.  
JOHN DENHAM, et al.,  
Defendants.

CASE NO. 1:09-CV-00194-AWI-DLB PC  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION FOR FAILURE TO OBEY COURT  
ORDER AND FAILURE TO STATE CLAIM  
(ECF NO. [13](#))  
DISMISSAL COUNTS AS STRIKE  
PURSUANT TO 28 U.S.C. § 1915(G)

Plaintiff Jethro L. Larkin, II (“Plaintiff”) is a California 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 302.

On June 17, 2010, 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 twenty 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), 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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The [Findings and Recommendations](#), filed June 17, 2010, is adopted in full; and
2. This action is dismissed for failure to obey a court order and failure to state a claim upon which relief may be granted.

IT IS SO ORDERED.

Dated: August 24, 2010

  
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CHIEF UNITED STATES DISTRICT JUDGE