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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 GEORGE L. AARON, JR.,

9 Plaintiff

10 v.

11 S. ABDOU, et al.,

12 Defendants.
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CASE No. 1:10-cv-00178-AWI-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS,
RECOMMENDING THIS ACTION BE
DISMISSED, WITH PREJUDICE, FOR
FAILURE TO STATE A CLAIM

(ECF No. 14)

14 Plaintiff George L. Aaron, Jr. ("Plaintiff"), a state prisoner proceeding pro se, filed this
15 civil rights action pursuant to 42 U.S.C. § 1983 on February 4, 2010. The matter was referred to a
16 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

17 On March 15, 2013, the Magistrate Judge dismissed the action for failure to state a claim
18 and gave Plaintiff leave to amend within thirty days. (ECF No. 13) In the order, the Court warned
19 Plaintiff that if he failed to file an amended complaint in compliance with the order, this action
20 would be dismissed, with prejudice, for failure to state any claims. On May 2, 2013, the
21 Magistrate Judge issued a findings and recommendation recommending this action be dismissed,
22 with prejudice, for failure to state a claim. (ECF No. 14.) On May 13, 2013, the findings and
23 recommendations was returned as undeliverable. The sixty-three (63) day period for notice of
24 change of address has now expired, and Plaintiff has not filed a notice of change of address or
25 otherwise notified the Court.

26 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of this
27 case. Having carefully reviewed the entire file, the Court finds the findings and recommendations
28 to be supported by the record and by proper analysis.

1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The Court adopts the findings and recommendations filed on May 2, 2013, in full;
- 3 2. This action is dismissed, with prejudice, based on Plaintiff's failure to state a claim
- 4 upon which relief may be granted under section 1983;
- 5 3. This dismissal is subject to the "three-strikes" provision set forth in 28 U.S.C. §
- 6 1915(g). Silva v. Vittorio, 658 F.3d 1090, 1098-99 (9th Cir. 2011); and
- 7 4. The Clerk of the Court is directed to close this case.

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10 IT IS SO ORDERED.

11 Dated: August 30, 2013



12 SENIOR DISTRICT JUDGE