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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EBONE LEROY EAST,

Plaintiff,

v.

G. KABONIC, et al.,

Defendants.

CASE NO. 1:10-CV-01053-AWI-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FAILURE TO STATE A
CLAIM (DOC. 12)

DISMISSAL COUNTS AS STRIKE
PURSUANT TO 28 U.S.C. § 1915(G)

_____ /

Plaintiff Ebone Leroy East (“plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed his [complaint](#) on June 11, 2010. Doc. 1. 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 April 7, 2011, the Magistrate Judge filed a [Findings and Recommendations](#) 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-one days. Doc. 12. Plaintiff filed an [Objection](#) to the Findings and Recommendations on April 22, 2011. Doc. 13.

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.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed April 7, 2011, is adopted in full;
2. This action is dismissed for Plaintiff’s failure to state a claim upon which relief may

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be granted;

3. All pending motions are DENIED as moot; and

4. This dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

Dated: July 29, 2011



CHIEF UNITED STATES DISTRICT JUDGE