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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DUBRIN et al.,  
Plaintiffs,  
v.  
MICHAEL STAINER et al.,  
Defendants.

No. 1:11-cv-01484-DAD-JLT  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, AND DENYING  
PLAINTIFF HALL'S REQUEST TO  
RESCIND SETTLEMENT  
(Doc. Nos. 155, 159, 160, 167, 168, 170)

This is a civil rights action under 42 U.S.C. § 1983, involving multiple plaintiffs and multiple defendants, which was filed on September 2, 2011. 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 6, 2017, the assigned magistrate judge issued findings and recommendations, recommending that plaintiffs Joaquin Coronado and Aaron Prange be dismissed from this action due to their failure to prosecute this case. (Doc. No. 167.) That recommendation was based upon the fact the court had granted their counsel's motion to withdraw because the two plaintiffs had ceased communicating with their counsel and then failed to respond to the court's order to show cause as to why they should not be dismissed as having abandoned the litigation. (*Id.*) The day after the findings and recommendations were issued, plaintiffs' counsel filed a motion to

1 vacate his motion to withdraw as counsel for plaintiff Coronado because the two had resumed  
2 contact. (Doc. No. 160.) Consequently, on May 2, 2017, the magistrate judge issued an order (1)  
3 striking its prior order granting counsel's motion to withdraw—solely as to plaintiff Coronado;  
4 (2) discharging its prior order to show cause—solely as to plaintiff Coronado; and (3) striking  
5 portions of the findings and recommendations—solely as to plaintiff Coronado. (Doc. No. 170.)  
6 That order was served on the same date and gave plaintiff Prange twenty-one additional days in  
7 which to file objections to the April 6, 2017 findings and recommendations. (*Id.*) Despite lapse  
8 of more than the allowed time, no objections have been filed. Local Rule 304(b) & (d).

9 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a  
10 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings  
11 and recommendations to be supported by the record and by proper analysis.

12 Accordingly,

- 13 1. The April 7, 2017 findings and recommendations (Doc. No. 167) are adopted as  
14 modified by the court's May 2, 2017 (Doc. No. 170);
- 15 2. Plaintiff Aaron Prange and all claims brought on his behalf are dismissed with  
16 prejudice from this action due to his failure to prosecute this action;
- 17 3. The Clerk of the Court is directed to terminate plaintiff Aaron Prange from the docket  
18 of this action;
- 19 4. The remaining parties are ordered to file a joint status report within thirty days of the  
20 date of service of this order.

21 IT IS SO ORDERED.

22 Dated: July 13, 2017

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25 UNITED STATES DISTRICT JUDGE  
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