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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NESTOR DANIEL HERNANDEZ,

Plaintiff,

v.

OLMOS, et al.,

Defendants.

Case No. 1:11-cv-01495 LJO DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION WITHOUT LEAVE TO AMEND

(Document 27)

Plaintiff Nestor Daniel Hernandez (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed on September 7, 2011. On March 4, 2013, Plaintiff filed his First Amended Complaint. 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 October 18, 2013, the Magistrate Judge issued [Findings and Recommendations](#) that this action be dismissed for Plaintiff’s failure to state a claim. The Findings and Recommendations were served on Plaintiff and contained notice that any objections were to be filed within thirty days. Over thirty days have passed and Plaintiff has not filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds that the Findings and Recommendations are supported by the record and proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed October 18, 2013, are ADOPTED in full;
2. This action is DISMISSED WITHOUT LEAVE TO AMEND for Plaintiff's failure to state a claim for which relief may be granted.

This terminates this action in its entirety.

IT IS SO ORDERED.

Dated: December 2, 2013

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