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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JEANETTE SMITH,  
Plaintiff,  
vs.  
DR. LARGOZA, et al.,  
Defendants.

1:12-cv-00503-LJO-GSA-PC  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(Doc. 10.)  
ORDER DISMISSING ACTION, WITH  
PREJUDICE, FOR FAILURE TO STATE A  
CLAIM UPON WHICH RELIEF MAY  
BE GRANTED UNDER SECTION 1983  
ORDER THAT DISMISSAL IS SUBJECT  
TO 28 U.S.C. § 1915(G)  
ORDER FOR CLERK TO CLOSE CASE

Jeanette Smith (“plaintiff”) is a 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 November 21, 2013, findings and recommendations were entered, recommending that this action be dismissed based on plaintiff’s failure to state a claim upon which relief may be granted under §1983. Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty days. The thirty-day deadline has passed, and plaintiff has not filed objections or otherwise responded to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file,

1 the court finds the findings and recommendations to be supported by the record and proper  
2 analysis.

3 Accordingly, THE COURT HEREBY ORDERS that:

- 4 1. The Findings and Recommendations issued by the Magistrate Judge on  
5 November 21, 2013, are adopted in full;
- 6 2. This action is dismissed, with prejudice, based on plaintiff's failure to state a  
7 claim upon which relief may be granted under § 1983;
- 8 3. This dismissal is subject to the "three-strikes" provision set forth in 28 U.S.C. §  
9 1915(g). Silva v. Vittorio, 658 F.3d 1090, 1098 (9th Cir. 2011); and
- 10 4. The Clerk of Court is directed to close this case.

11 IT IS SO ORDERED.

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13 Dated: December 31, 2013

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