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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 DONOVAN L. HALEY,

12 Plaintiff,

13 vs.

14 CALIFORNIA DEPARTMENT OF  
15 CORRECTIONS AND REHABILITATION,  
et al.,

16 Defendants.  
17  
18  
19

1:13-cv-00226-AWI-GSA-PC

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(Doc. 16.)

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

20 Donovan L. Haley ("Plaintiff") is a state prisoner proceeding pro se in this civil rights  
21 action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate  
22 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

23 On April 7, 2015, [findings and recommendations](#) were entered, recommending that this  
24 action be dismissed based on Plaintiff's failure to state a claim upon which relief may be  
25 granted under §1983. Plaintiff was granted thirty days in which to file objections to the  
26 findings and recommendations. Plaintiff requested and was granted a thirty-day extension of  
27 time to file objections. (Docs. 17, 18.) Plaintiff's latest deadline has now expired, and Plaintiff  
28 has not filed objections or otherwise responded to the findings and recommendations.

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this  
2 court has conducted a de novo review of this case. Having carefully reviewed the entire file,  
3 including plaintiff's objections, the court finds the findings and recommendations to be  
4 supported by the record and proper analysis.

5 Accordingly, THE COURT HEREBY ORDERS that:

- 6 1. The Findings and Recommendations issued by the Magistrate Judge on April 7,  
7 2015, are adopted in full;
- 8 2. This action is dismissed, with prejudice, based on plaintiff's failure to state a  
9 claim upon which relief may be granted under § 1983;
- 10 3. This dismissal is subject to the "three-strikes" provision set forth in 28 U.S.C. §  
11 1915(g). Silva v. Vittorio, 658 F.3d 1090, 1098 (9th Cir. 2011); and
- 12 4. The Clerk of Court is directed to close this case.

13 IT IS SO ORDERED.

14 Dated: July 1, 2015

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16 SENIOR DISTRICT JUDGE