

1 presentation of cases in which litigants wish to have their matters heard. Plaintiff is not one who takes
2 this claim with any serious indication that he intends to pursue a righteous claim.

3 As for dismissing this case with prejudice, this Plaintiff has filed over one hundred and fifty
4 civil cases in this district and in a variety of names involving the similar claims and similar lack of any
5 facts which comport with the Federal Rules of Civil Procedure. Plaintiff has been admonished by
6 numerous judges of this court and yet still heeds no warning. This Court's previous case involving
7 Plaintiff warned him that the filing of frivolous claims with no basis in law or fact may result in
8 monetary sanctions. (1:13-cv-00750-AWI-SAB, ECF No. 2.) The Court will issue a separate
9 sanctioning order in addition to dismissing Plaintiff's claim with prejudice.

10 **II.**
11 **RECOMMENDATION**

12 Accordingly,

13 **IT IS HEREBY RECOMMENDED** that this action be **DISMISSED WITH PREJUDICE**.

14 This Findings and Recommendation is submitted to the assigned United States District Court
15 Judge, pursuant to the provisions of 28 U.S.C. § 636 (b)(1)(B) and Rule 304 of the Local Rules of
16 Practice for the United States District Court, Eastern District of California. Within **fourteen (14)** days
17 after being served with a copy, Plaintiff may file written objections with the court and serve a copy on
18 all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and
19 Recommendation." Plaintiff is advised that failure to file objections within the specified time may
20 waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153, 1157 (9th Cir.
21 1991)

22
23 **IT IS SO ORDERED.**

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25 Dated: **October 9, 2013**

26 
27 UNITED STATES MAGISTRATE JUDGE
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