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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY E. FELDER,
Plaintiff,
vs.
HENSON, et al.,
Defendants.

Case No. 1:13-cv-01622-AWI-JLT (PC)
**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO GRANT
DEFENDANTS' MOTION TO DISMISS**

(Docs. 21, 38)

Plaintiff, Anthony E. Felder, is a state prisoner proceeding *pro se* and *in forma pauperis* with 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. Plaintiff is proceeding on his First Amended Complaint. (Doc. 12.) Defendants filed a motion to dismiss on March 4, 2014. (Doc. 21.) On September 11, 2015, the Magistrate Judge recommended Defendants' motion to dismiss be granted and that Plaintiff be allowed to file a second amend complaint. (Doc. 38.) The Findings and Recommendations was served on the parties that same date and allowed for objections to be filed within twenty-one days. (*Id.*) Despite a lapse of more than the time allowed, neither side has 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 the Findings and Recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, issued on September 11, 2015, is adopted in full;
2. Defendants’ motion to dismiss, filed on March 4, 2014 (Doc. 21) is granted; and
3. Within thirty (30) days from the date of service of this order, Plaintiff must either file a second amended complaint curing the deficiencies identified in the Findings and Recommendations; or
4. If Plaintiff fails to comply with this order, this action will be dismissed for failure to obey a court order.

IT IS SO ORDERED.

Dated: October 16, 2015



SENIOR DISTRICT JUDGE