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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA
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9 KEON L. JEFFERSON,

10 Plaintiff,

11 v.

12 J. KATAVICH, et al.,

13 Defendants.
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Case No. 1:16-cv-00359-AWI-SAB-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 14)

ORDER DISMISSING ACTION, WITH
PREJUDICE, FOR FAILURE TO STATE A
CLAIM

ORDER THAT THIS DISMISSAL IS
SUBJECT TO THE "THREE STRIKES"
PROVISION OF 28 U.S.C. § 1915(g)

17 Plaintiff Keon L. Jefferson is a state prisoner proceeding *pro se* and *in forma pauperis* in
18 this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On November 22, 2017, the assigned magistrate judge entered findings and
21 recommendations recommending that this action be dismissed based on Plaintiff's failure to state
22 a claim upon which relief may be granted under §1983. (ECF No. 14.) Plaintiff was granted
23 thirty days in which to file objections to the findings and recommendations. (Id.) More than
24 thirty days have passed, and Plaintiff has not filed objections or otherwise responded to the
25 findings and recommendations.

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

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations issued on November 22, 2017 (ECF No. 14),
3 are adopted in full;
- 4 2. This action is dismissed, with prejudice, based on Plaintiff's failure to state a
5 claim upon which relief may be granted under § 1983;
- 6 3. This dismissal is subject to the "three strikes" provision of 28 U.S.C. § 1915(g);
7 and
- 8 4. The Clerk of Court is directed to close this case.

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10 IT IS SO ORDERED.

11 Dated: January 29, 2018



12 SENIOR DISTRICT JUDGE
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