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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL NEIL JACOBSEN,
Plaintiff,
v.
OFFICER CURRAN, *et al.*,
Defendants.

No. 1:16-cv-01050-NONE-JDP
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT
DEFENDANTS MOTION TO DISMISS BE
DENIED IN PART AND GRANTED IN PART
(Doc. Nos. 100, 102)

Plaintiff Michael Neil Jacobsen, who filed this action while he was a state prisoner, is proceeding *pro se* and *in forma pauperis* in this now-closed civil rights action 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 1, 2019, the court dismissed this action due to plaintiff’s failure to prosecute and comply with court orders, after reviewing the extensive history of plaintiff’s repeated failure to comply with deadlines established by the court in this case. (Doc. No. 98.) Over eight months later, on December 3, 2019, plaintiff filed a motion seeking to set aside that order of dismissal and associated judgment, in which he attempts to again explain various reasons why he had difficulty meeting the court established deadlines. (Doc. No. 100.) On March 19, 2020, the

1 assigned magistrate judge issued findings and recommendations, recommending that plaintiff's
2 motion be denied. (Doc. No. 102.) Those findings and recommendations were served on
3 plaintiff, and contained notice that objections were due within fourteen (14) days. No party has
4 objected.

5 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
6 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
7 findings and recommendations are supported by the record and by proper analysis. Nothing in
8 plaintiff's December 3, 2019 motion provides a sufficient basis for setting aside the judgment
9 entered on April 1, 2019.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. The findings and recommendations issued on March 19, 2020 (Doc. No. 102), are
12 adopted in full;
- 13 2. Plaintiff's motion to set aside the order of dismissal (Doc. No. 100) is denied.

14 IT IS SO ORDERED.

15 Dated: May 19, 2020

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18 UNITED STATES DISTRICT JUDGE
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