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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GREGORY ELL SHEHEE,

Plaintiff,

v.

PEREZ,

Defendant.

Case No. 1:16-cv-01346-AWI-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DEFENDANT’S MOTION TO DISMISS FOR
LACK OF PROSECUTION AND FAILURE
TO COMPLY WITH COURT ORDER

(ECF Nos. 78, 79)

Plaintiff Gregory Ell Shehee (“Plaintiff”) is a former civil detainee proceeding *pro se* in this civil rights action pursuant to 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 August 10, 2020, the assigned Magistrate Judge issued findings and recommendations recommending that Defendant’s motion to dismiss be granted, based on Plaintiff’s failure to comply with a court order and failure to prosecute. (ECF No. 79.) Those findings and recommendations were served on Plaintiff at his address of record and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 6.) No objections have been filed, and the deadline to do so has expired.¹

¹ On August 24, 2020, the findings and recommendations were returned as “Undeliverable, Return to Sender, Forward Time Expired, Deceased.”

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

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations issued on August 10, 2020, (ECF No. 79), are
6 adopted in full;
- 7 2. Defendant's motion to dismiss, (ECF No. 78), is granted;
- 8 3. This action is dismissed, with prejudice, for failure to comply with a court order and
9 failure to prosecute; and
- 10 4. The Clerk of the Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: September 9, 2020

13 
14 SENIOR DISTRICT JUDGE