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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CHARLES B. JONES,

Plaintiff,

v.

J. GARCIA, et al.,

Defendants.

1:17-cv-01311-LJO-SKO (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION WITHOUT PREJUDICE

(Docs. 34, 47)

Plaintiff Charles B. Jones is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action. 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 28, 2019, the defendants filed a motion for summary judgment on the grounds that Plaintiff failed to exhaust administrative remedies prior to filing suit. (Doc. 34.) On December 23, 2019, the assigned magistrate judge issued findings and recommendations to grant the defendants' motion and to dismiss this action without prejudice. (Doc. 47.) The magistrate judge provided Plaintiff 21 days to file objections to the findings and recommendations. (*Id.*) Although more than the allowed time has passed, Plaintiff has not filed any objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the 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 proper analysis.

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Accordingly, the Court ORDERS:

1. The findings and recommendations issued on December 23, 2019, (Doc. 47) are ADOPTED in full;
2. The defendants' motion for summary judgment (Doc. 34) is GRANTED;
3. This action is DISMISSED without prejudice; and,
4. The Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: January 24, 2020

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE