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1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 RICHARD SCOTT KINDRED, No. 1:18-cv-00554-ADA-EPG (PC) 12 Plaintiff. ORDER ADOPTING FINDINGS AND RECOMMENDATIONS 13 v. (ECF Nos. 111, 113, 114, 118, 119) 14 CLIFF ALLENBY, et al., 15 Defendants. 16 17 Plaintiff Richard Scott Kindred ("Plaintiff"), a civil detainee proceeding pro se and in 18 forma pauperis, initiated this civil rights action pursuant to 42 U.S.C. § 1983 on April 25, 2018. 19 This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) 20 and Local Rule 302. 21 On October 31, 2022, defense counsel filed a "Notice of Death of Plaintiff Richard Scott 22 Kindred," which states that Plaintiff died during the pendency of this action. (ECF No. 111.) On 23 May 22, 2023, the assigned Magistrate Judge issued findings and recommendations, recommending 24 that this case be dismissed pursuant to Federal Rule of Civil Procedure 25(a)(1), which requires 25

## Case 1:18-cv-00554-ADA-EPG Document 120 Filed 09/18/23 Page 2 of 2 after service. (*Id.* at 2.) To date, no party has filed objections and the time to do so has passed. 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 by proper analysis. Accordingly, 1. The Findings and Recommendations issued on May 22, 2023, (ECF No. 119), are ADOPTED in FULL; 2. This action is DISMISSED pursuant to Federal Rule of Civil Procedure 25(a)(1); and 3. The Clerk of Court is directed to CLOSE this case. IT IS SO ORDERED. Dated: September 18, 2023