1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 FLOYD GREENE, Case No.: 1:18-cv-00655-AWI-SAB (PC) 12 Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, AND DISMISSING 13 v. ACTION FOR FAILURE TO STATE A COGNIZABLE CLAIM FOR RELIEF NORM KARLOW, et.al., 14 [ECF No. 26] 15 Defendants. 16 Plaintiff Floyd Greene is appearing pro se and in forma pauperis in this civil rights action 17 pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 18 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On June 5, 2019, the Magistrate Judge issued Findings and Recommendations recommending 21 the action be dismissed for failure to state a cognizable claim for relief. The Findings and 22 Recommendations were served on Plaintiff and contained notice that objections were to be filed within 23 twenty-one (21) days. On June 24, 2019, Plaintiff filed objections. 24 In his objections, Plaintiff continues to claim that he has stated a cognizable retaliation claim. 25 However, despite being advised in several orders, Plaintiff has failed to present a cognizable sexual

amend is not warranted. (ECF Nos. 21, 24, 25, 26.) Accordingly, dismissal of the action is warranted.

harassment and/or retaliation claim in his second and third amended complaints, and further leave to

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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, including Plaintiff's objections, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Findings and Recommendations issued June 5, 2019, are adopted in full;
- 2. Plaintiff's claims are dismissed for failure to state a cognizable claim for relief; and
- 3. The Clerk of Court shall close this case.

IT IS SO ORDERED.

Dated: December 17, 2019

SENIOR DISTRICT JUDGE