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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 SAMUEL ARCHULETA,

12 Plaintiff,

13 vs.

14 K. FOUNGLONG, et al.,

15 Defendants.
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1:18-cv-00693-LJO-GSA-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 14.)

ORDER DISMISSING THIS CASE, WITH
PREJUDICE, FOR FAILURE TO STATE A
CLAIM

ORDER THAT DISMISSAL IS SUBJECT TO
28 U.S.C. § 1915(g)

ORDER FOR CLERK TO CLOSE CASE

20 Samuel Archuleta (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
21 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to
22 a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

23 On February 12, 2019, [findings and recommendations](#) were entered, recommending that
24 this action be dismissed based on Plaintiff’s failure to state a claim upon which relief may be
25 granted under §1983. (ECF No. 14.) Plaintiff was granted fourteen days in which to file
26 objections to the findings and recommendations. (*Id.*) The fourteen-day time period has
27 expired, and Plaintiff has not filed objections or otherwise responded to the findings and
28 recommendations.

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
3 the court finds the findings and recommendations to be supported by the record and proper
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Findings and Recommendations issued by the Magistrate Judge on February
7 12, 2019, are adopted in full;
- 8 2. This action is dismissed, with prejudice, based on Plaintiff's failure to state a
9 claim upon which relief may be granted under § 1983;
- 10 3. This dismissal is subject to the "three-strikes" provision set forth in 28 U.S.C. §
11 1915(g); See Harris v. Mangum, 15-15054, 863 F.3d 1133, 1143 (9th Cir. 2017);
12 and
- 13 4. The Clerk of Court is directed to close this case.

14 IT IS SO ORDERED.

15 Dated: March 8, 2019

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