

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HUSSEIN O. ALI,

Plaintiff,

v.

EQUIFAX INC., TRANS UNION,

Defendants.

Case No. 1:18-cv-00713-AWI-SKO

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

(Doc. No. 7)

On April 19, 2018, Plaintiff, proceeding pro se, filed a complaint against Defendants Equifax Inc. and Trans Union, in Fresno County Superior Court. (Doc. No. 1-1.) On May 23, 2018, Defendant Equifax Inc. removed this case to federal court with the consent of Defendant Trans Union. (Doc. Nos. 1 & 1-2.)

On September 24, 2018, the Court continued the Mandatory Scheduling Conference in this case from October 4, 2018, to January 24, 2019, to allow Plaintiff an opportunity to file a proof of service of Defendant Trans Union. (Doc. No. 5.) The Court ordered Plaintiff to “file proof of service or a status report indicating whether Plaintiff intends to continue to prosecute this case against” Defendant Trans Union, by no later than January 17, 2019. (*Id.*) Plaintiff failed to file proofs of service on Defendant Trans Union by January 17, 2019. (*See Docket.*)

1 On January 23, 2019, the Court entered an Order to Show Cause (“OSC”) ordering Plaintiff
2 to either file a statement showing cause why the Court should not recommend to the presiding
3 district court judge that Defendant Trans Union be dismissed from this case for failure to comply
4 with the Court’s September 24, 2018 Order, or a notice of voluntary dismissal dismissing
5 Defendant Trans Union. (Doc. No. 6.) Plaintiff did not respond to the OSC.

6 On February 14, 2019, the assigned magistrate judge issued findings and recommendations
7 recommending that Defendant Trans Union be dismissed with prejudice as party to this case. (Doc.
8 No. 7.) Plaintiff was served with findings and recommendations by mail and was granted fourteen
9 (14) days in which to file objections to the findings and recommendations. (*Id.*) No objections
10 have been filed.

11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
12 *de novo* review of the case. Having carefully reviewed the entire file, the court finds that the
13 findings and recommendations are supported by the record and proper analysis.

14 Accordingly, IT IS HEREBY ORDERED that:

- 15 1. The findings and recommendations dated February 14, 2019 (Doc. No. 7), are adopted
16 in full;
- 17 2. Defendant Trans Union is DISMISSED WITH PREJUDICE as party to this case; and
- 18 3. The Clerk of Court is directed to TERMINATE Trans Union as a party to this case on
19 the Court’s docket.

20
21 IT IS SO ORDERED.

22 Dated: April 2, 2019



SENIOR DISTRICT JUDGE

23
24
25
26
27
28