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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. JONES,
Plaintiff,
v.
SHERMAN, et al.,
Defendants.

Case No.: 1:18-cv-01697-LJO-SKO (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FAILURE TO STATE A
CLAIM**

(Doc. 28)

Plaintiff William J. Jones is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. 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 November 14, 2019, the assigned magistrate judge issued findings and recommendations to dismiss this action because Plaintiff fails to state a claim on which relief can be granted. (Doc. 28.) Plaintiff filed objections on December 5, 2019. (Doc. 29.) In his objections, Plaintiff states that his complaints state cognizable claims and thus should be allowed to proceed. (*Id.* at 2.). However, Plaintiff does not address the substance of the findings, which provide that Plaintiff's complaints are filled with conclusory statements and do not allege sufficient facts to state a claim that is plausible on its face. (Doc. 28 at 4-5.) *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Because Plaintiff has received three prior opportunities to amend, the Court finds that further opportunity would be futile. *See Akhtar v. Mesa*, 698 F.3d 1202, 1212-13 (9th Cir. 2012).

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

Accordingly, the Court ORDERS:

1. The findings and recommendations issued on November 14, 2019, (Doc. 28), are ADOPTED in full;
2. This action is DISMISSED; and,
3. The Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: December 17, 2019

/s/ Lawrence J. O’Neill
UNITED STATES CHIEF DISTRICT JUDGE