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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HURSEL F. MITCHELL,

Plaintiff,

v.

VETERANS ADMINISTRATION OF
UNITED STATES,

Defendant.

Case No. 1:19-cv-00097-AWI-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DISMISSAL OF ACTION WITHOUT
PREJUDICE FOR FAILURE TO OBEY
COURT ORDER, FAILURE TO PAY
FILING FEE AND FAILURE TO
PROSECUTE

(Doc. Nos. 8, 9)

Plaintiff Hursel Floyd Mitchell (“Plaintiff”), proceeding pro se in this civil matter, initiated this action on January 23, 2019. (Doc. 1).

On October 7, 2019, the assigned magistrate judge issued findings and recommendations that this action be dismissed without prejudice based on Plaintiff’s failure to obey the Court’s August 21, 2019 order, failure to pay the filing fee and failure to prosecute this action. (Doc. No. 9.) Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. The time to file objections has passed, and no objections have been filed.

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 by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The October 7, 2019 findings and recommendations (Doc. No. 9) are adopted in full;
2. This action is dismissed, without prejudice, based on Plaintiff's failure to comply with the Court's order of August 21, 2019, failure to pay the filing fee and failure to prosecute this action; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: December 2, 2020



SENIOR DISTRICT JUDGE