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Defendants.

(Docs. 45, 46)

After a motion was not filed in compliance with the deadline imposed by Rule 25 and identified in this Court's order, the magistrate judge recommended the matter be dismissed. (Doc. 46.) The magistrate judge granted an extension of time to file any objections, after noting a scrivener's error. (*See* Doc. 47.) To date, no objections have been filed and the time to do so has expired.

1 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court conducted a de novo review of the case.
2 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are
3 supported by the record. The action “must be dismissed” because a motion for substitution was not
4 filed. *See* Fed.R.Civ.P. 25(a)(1). Therefore, the Court **ORDERS**:

- 5 1. The Findings and Recommendations issued on April 21, 2023 (Doc. 46) are **ADOPTED**.
- 6 2. The action is **DISMISSED** with prejudice pursuant to Rule 25(a)(1) of the Federal
7 Rules of Civil Procedure.
- 8 3. The Clerk of Court shall terminate any pending deadlines and close this case.

9
10 IT IS SO ORDERED.

11 Dated: May 24, 2023


UNITED STATES DISTRICT JUDGE