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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PETE REYNA,
Plaintiff,
v.
KINGS COUNTY JAIL MEDICAL, *et al.*,
Defendants.

No. 1:19-cv-01202-NONE-BAM (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
THE DENIAL OF DEFENDANT’S MOTION
TO DISMISS FOR FAILURE TO
PROSECUTE
(Doc. No. 38)

Plaintiff Pete Reyna is a former pretrial detainee proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on plaintiff’s first amended complaint against defendant Siddiqi¹ for alleged violation of plaintiff’s rights under the Fourteenth Amendment due to the delay in providing plaintiff medical care. 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 2, 2020, the assigned magistrate judge issued findings and recommendations recommending that defendant’s motion to dismiss due to plaintiff’s failure to prosecute this action be denied. (Doc. No. 38.) Those findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within

¹ The named defendant was erroneously sued as defendant “Sadiki.”

1 fourteen (14) days after service. (*Id.* at 3–4.) No objections have been filed, and the deadline to
2 do so has expired.

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
4 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
5 magistrate judge’s findings and recommendations are supported by the record and by proper
6 analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on November 2, 2020, (Doc. No. 38), are
9 adopted in full;
- 10 2. Defendant’s motion to dismiss due to plaintiff’s failure to prosecute this action (Doc. No.
11 37), is denied; and
- 12 3. This action is referred back to the assigned Magistrate Judge for further proceedings
13 consistent with this order.

14 IT IS SO ORDERED.

15 Dated: December 7, 2020

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18 UNITED STATES DISTRICT JUDGE
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