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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE GARCIA,
Plaintiff,
v.
U. BANIGA, M.D., et al.,
Defendants.

1:19-cv-01258-AWI-GSA-PC
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS IN FULL,
DISMISSING ACTION, AND DENYING
PENDING MOTIONS

(ECF Nos. 23, 25.)

Jose Garcia (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 25, 2020, [findings and recommendations](#) were entered, recommending that this action be dismissed for Plaintiff’s failure to comply with the court’s order of August 17, 2020. (ECF No. 25.) Plaintiff was granted fourteen days in which to file objections to the findings and recommendations. The fourteen-day time period has passed, and Plaintiff has not filed objections or otherwise responded to the findings and recommendations.¹

¹ The United States Postal Service returned the findings and recommendations on October 7, 2020, as “Undeliverable, Return to Sender, Not Deliverable.” (Court Record.) However, Plaintiff has not notified the Court of any change in his address. Absent such notice, service at a party’s prior address is fully effective. Local Rule 182(f).

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
3 court finds the findings and recommendations to be supported by the record and proper analysis.

4 Accordingly, THE COURT HEREBY ORDERS that:

- 5 1. The Findings and Recommendations issued by the Magistrate Judge on
6 September 25, 2020 (Doc. No. 25), are adopted in full;
- 7 2. This action is dismissed, without prejudice, for Plaintiff's failure to comply with
8 the court's order;
- 9 3. All pending motions (Doc. No. 23) are denied as moot; and
- 10 4. The Clerk of Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: December 2, 2020

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14 SENIOR DISTRICT JUDGE