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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MAXCIME CAGAN,

 Plaintiff,

 v.

S. LAKE, et al.,

 Defendants.

Case No. 1:19-cv-01629-AWI-SAB (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION, AND DISMISSING
ACTION, WITH PREJUDICE, FOR FAILURE
TO STATE A CLAIM UPON WHICH RELIEF
MAY BE GRANTED**

(ECF No. 7)

Plaintiff Maxcime Cagan is a federal prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). 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 December 13, 2019, the assigned Magistrate Judge issued findings and recommendation, recommending that this action be dismissed, with prejudice, for failure to state a cognizable claim upon which relief may be granted. (ECF No. 7.) The findings and recommendation were served on Plaintiff and contained notice that any objections thereto were to be filed within thirty (30) days after service. (Id. at 8.) Following an extension of time, Plaintiff filed objections to the findings and recommendation on January 16, 2020. (ECF No. 10.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including Plaintiff’s

1 objections, the Court finds that the Magistrate Judge's findings and recommendation are
2 supported by the record and by proper analysis.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. The findings and recommendations issued on December 13, 2019, (ECF No. 7),
5 are adopted in full;
- 6 2. This action is dismissed, with prejudice, due to Plaintiff's failure to state a claim
7 upon which relief may be granted; and
- 8 3. The Clerk of the Court is directed to close this case.

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10 IT IS SO ORDERED.

11 Dated: January 6, 2021


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29 SENIOR DISTRICT JUDGE