UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

VLADIMIR R. EBEL, Plaintiff, v. VALLEY STATE PRISON, et al., Defendants.	No. 1:20-cv-00034-DAD-GSA (PC) ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING ACTION DUE TO PLAINTIFF'S FAILURE TO COMPLY WITH A COURT ORDER AND FAILURE TO PROSECUTE (Doc. No. 7)

Plaintiff Vladimir R. Ebel is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

The complaint commencing this action was originally filed by fifteen plaintiffs on December 26, 2019. *See Gann v. Valley State Prison*, 1:19-cv-01797-DAD-GSA, (Doc. No. 1). Thereafter, on January 7, 2020, the assigned magistrate judge issued an order severing the fifteen plaintiffs' claims and opened this new case for plaintiff Ebel. (Doc. No. 1.) The January 7, 2020 order also directed plaintiff to file an amended complaint and an application to proceed *in forma pauperis* in this civil action within thirty (30) days from the date of service. (*Id.* at 4–5.) The thirty-day deadline passed, and plaintiff failed to file an amended complaint, file an application to proceed *in forma pauperis*, or pay the required filing fee.

Therefore, on March 20, 2020, the magistrate judge issued the pending findings and recommendations, recommending dismissal of this action, without prejudice, due to plaintiff's failure to obey a court order and failure to prosecute this action. (Doc. No. 7.) The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date, no objections have been filed, and the time in which to do so has now passed.

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

Accordingly,

1. The findings and recommendations issued on March 20, 2020 (Doc No. 7) are adopted in full;
2. This action is dismissed, without prejudice, due to plaintiff's failure to obey a court order and failure to prosecute this action; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: **April 27, 2020**

Dale A. Drozd

UNITED STATES DISTRICT JUDGE