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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ERIC DANNENBERG,

Plaintiff,

v.

BRANDON PRICE, et al.,

Defendants.

No. 1:20-cv-00128-NONE-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION FOR FAILURE TO COMPLY AND  
FAILURE TO PROSECUTE AND  
DIRECTING CLERK OF THE COURT TO  
RANDOMLY ASSIGN THIS MATTER TO  
A DISTRICT JUDGE FOR PURPOSES OF  
CLOSING THIS ACTION

(Doc. No. 12)

Eric Dannenberg (“Plaintiff”), a civil detainee, is appearing pro se and *in forma pauperis* in 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 July 20, 2020, the operative complaint was screened by the magistrate judge and found to contain at least one cognizable claim along with other claims that were not sufficiently pled. (Doc. No. 10.) Plaintiff was given thirty (30) days to either amend his complaint or stand on the cognizable claims. (*Id.* at 23–24.) Plaintiff was warned that failure to comply with the court’s instructions would result in a recommendation that the case be dismissed for failure to comply and failure to prosecute. (*Id.* at 25.) Plaintiff has yet to respond and the time within which to do so has expired.

1 On September 1, 2020, the magistrate judge filed findings and recommendations  
2 recommending that this action be dismissed for plaintiff's failure to comply and failure to  
3 prosecute. (Doc. No. 12.) The findings and recommendations were served on plaintiff and  
4 contained notice that any objections to the findings and recommendations were to be filed  
5 within thirty (3) days from the date of service. The period for filing objections has passed and  
6 no objections have been filed.


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

10 Accordingly,

- 11 1. The findings and recommendations, filed September 1, 2020 (Doc. No. 12), are  
12 ADOPTED IN FULL;
- 13 2. This action is DISMISSED for plaintiff's failure to comply and failure to  
14 prosecute; and
- 15 3. The Clerk of the Court is DIRECTED to randomly reassign this action to a district  
16 judge for the purposes of closing this matter.

17  
18 IT IS SO ORDERED.

19 Dated: October 13, 2020

  
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UNITED STATES DISTRICT JUDGE