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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 DARRELL D. SMITH,

12 Plaintiff,

13 vs.

14 RYAN KIM, et al.,

15 Defendants.
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No. 1:20-cv-00318-JLT-GSA-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS IN FULL

(Doc. 35.)

ORDER DISMISSING THIS CASE WITH
PREJUDICE, FOR FAILURE TO OBEY
COURT ORDER AND FAILURE TO
PROSECUTE

ORDER FOR CLERK TO CLOSE CASE

19 Plaintiff Darrell D. Smith is a former state prisoner proceeding *pro se* with this civil
20 rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States
21 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

22 On May 8, 2023, findings and recommendations were entered, recommending that this
23 action be dismissed for Plaintiff's failure to obey a court order and failure to prosecute. (Doc.
24 35.) Plaintiff was granted until May 26, 2023 in which to file objections to the findings and
25 recommendations. (*Id.*) The May 26, 2023 date has passed, and Plaintiff has not filed
26 objections, requested an extension of time, or otherwise responded to the findings and
27 recommendations.

28 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this

1 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
2 the court finds the findings and recommendations to be supported by the record and proper
3 analysis.

4 Accordingly, **THE COURT HEREBY ORDERS** that:

- 5 1. The findings and recommendations issued by the magistrate judge on May 8,
6 2023 (Doc. 35), are **ADOPTED IN FULL**.
- 7 2. This action is **DISMISSED**, with prejudice, for Plaintiff's failure to obey a court
8 order and failure to prosecute.
- 9 3. The Clerk of Court is directed to **CLOSE THIS CASE**.

10
11 IT IS SO ORDERED.

12 Dated: **June 12, 2023**


13 UNITED STATES DISTRICT JUDGE