

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JORDAN LEE EMBREY,
Plaintiff,
v.
MCCOMAS, et al.,
Defendants.

No. 1:20-cv-00650-DAD-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS IN FULL AND
DISMISSING ACTION

(Doc. No. 17)

Plaintiff Jordan Lee Embrey is a county jail inmate proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. (Doc. No. 10.) This action proceeds on plaintiff’s first amended complaint against defendants Obendena and Z. Williams for deliberate indifference to plaintiff’s serious medical needs in violation of the Eighth Amendment. (*Id.*) 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 March 15, 2021, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to plaintiff’s failure to serve process on defendants pursuant to Federal Rule of Civil Procedure 4(m), failure to prosecute, and failure to obey a court order. (Doc. No. 17.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14)

////

1 days after service. (*Id.* at 4.) No objections have been filed, and the deadline to do so has
2 expired.


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

7 Accordingly,

- 8 1. The findings and recommendations issued on March 15, 2021 (Doc. No. 17) are
9 adopted in full;
- 10 2. This action is dismissed, without prejudice, due to plaintiff's failure to serve
11 process on defendants pursuant to Federal Rule of Civil Procedure 4(m), failure to
12 prosecute, and failure to obey a court order; and
- 13 3. The Clerk of the Court is directed to close this case.

14 IT IS SO ORDERED.

15 Dated: May 3, 2021

16 
17 _____
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28