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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADARYLL WEAVER,
Plaintiff,
v.
SHERRY LOPEZ, et al.
Defendants.

No. 1:20-cv-00699-ADA-HBK (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATION
(ECF No. 11)

Plaintiff Adaryll Weaver (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed under 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 April 10, 2023, the Magistrate Judge filed a findings and recommendations, recommending dismissal of the instant action for Plaintiff’s failure to prosecute and comply with a court order. (ECF No. 11.) Specifically, the Magistrate Judge screened Plaintiff’s Complaint and found that it failed to state a cognizable claim. (ECF No. 9.) Plaintiff was given three options to exercise within twenty-one days from receipt of the March 2, 2023 Screening Order: (1) file a First Amended Complaint; (2) file a notice that he intends to stand on his initial complaint subject to the Magistrate Judge recommending the action’s dismissal by the District Judge for the reasons stated in the March 2, 2023 Screening Order; or (3) file a notice to voluntarily dismiss the action. (*Id.*) Plaintiff did not exercise any of the three options, and on April 10, 2023, the Magistrate Judge

1 issued Findings and Recommendations, recommending the instant action be dismissed. (ECF No.
2 11.) The April 10, 2023, findings and recommendations were served on Plaintiff and contained
3 notice that objections to the findings and recommendations were to be filed within fourteen days.
4 (*Id.* at 5.) Plaintiff failed to file any objections, and the time to do so has expired.

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

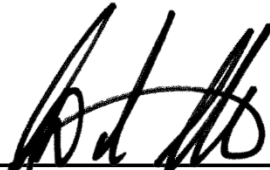
8 Accordingly,

- 9 1. The findings and recommendation, filed on April 10, 2023, (ECF No. 11), is adopted in
10 full; and
- 11 2. The Clerk of Court shall terminate any pending motions, close this case, and enter
12 judgment against Plaintiff.

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IT IS SO ORDERED.

Dated: May 30, 2023


UNITED STATES DISTRICT JUDGE