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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FREDDY MCCARDIE,

 Plaintiff,

 v.

CALIFORNIA STATE PRISON
CORCORAN,

 Defendant.

No. 1:20-cv-01623-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DISMISSAL OF ACTION, WITH
PREJUDICE, FOR FAILURE TO STATE A
CLAIM

(Doc. No. 21)

Plaintiff Freddy McCardie is a state prisoner proceeding *pro se* and *in forma pauperis* 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.

On April 26, 2021, the assigned magistrate judge screened plaintiff’s first amended complaint and issued findings and recommendations recommending that this action be dismissed, with prejudice, due to plaintiff’s failure to state a cognizable claim upon which relief may be granted. (Doc. No. 21.) The findings and recommendations were served on plaintiff and included a statement that any objections must be filed within fourteen days. (*Id.* at 6.) The deadline to file objections has passed, and plaintiff has failed to file objections to the pending findings and recommendations or otherwise communicate with the court regarding this action.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the

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magistrate judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly,

1. The findings and recommendations issued on April 26, 2021, (Doc. No. 21), are adopted in full;
2. This action is dismissed, with prejudice, for failure to state a cognizable claim upon which relief may be granted; and
3. The Clerk of the Court is directed to assign a district judge to this case for the purpose of closing the case and then to close this case.

IT IS SO ORDERED.

Dated: June 4, 2021



UNITED STATES DISTRICT JUDGE