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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ZACHARY NICOLAS ANGEL,

Plaintiff,

v.

CALIFORNIA CORRECTIONAL
HEALTH CARE SERVICES, *et al.*,

Defendants.

No. 1:20-cv-01713-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS IN PART AND
DISMISSING ACTION, WITH PREJUDICE,
FOR FAILURE TO OBEY A COURT ORDER
AND FAILURE TO PROSECUTE

(Doc. No. 11)

Plaintiff Zachary Nicolas Angel 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 March 24, 2021, the assigned magistrate judge screened plaintiff’s complaint and granted plaintiff leave to file a first amended complaint or a notice of voluntary dismissal within thirty (30) days. (Doc. No. 9.) Plaintiff was warned that failure to comply with the court’s order would result in a recommendation for dismissal of this action, with prejudice, for failure to obey a court order and for failure to state a claim. (*Id.* at 7.) Plaintiff did not file an amended complaint or otherwise communicate with the court.

Therefore, on May 11, 2021, the magistrate judge issued findings and recommendations recommending dismissal of this action, with prejudice, for failure to state a claim pursuant to 28

1 U.S.C. § 1915A, failure to obey a court order, and failure to prosecute. (Doc. No. 11.) Those
2 findings and recommendations were served on plaintiff and contained notice that any objections
3 thereto were to be filed within fourteen days after service. (*Id.* at 8.) Plaintiff has not filed
4 objections, and the deadline to do so has now passed.


5 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
6 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
7 magistrate judge's findings and recommendations are supported by the record and by proper
8 analysis insofar as they recommend dismissal for failure to obey a court order and failure to
9 prosecute. The court finds it unnecessary to address and therefore expresses no opinion as to any
10 other ground(s) for dismissal discussed in the findings and recommendations.

11 Accordingly,

- 12 1. The findings and recommendations issued on May 11, 2021, (Doc. No. 11), are
13 adopted in part;
- 14 2. This action is dismissed, with prejudice, due to plaintiff's failure to obey a court
15 order and failure to prosecute; and
- 16 3. The Clerk of the Court is directed to assign a district judge to this case for the
17 purpose of closing the case and then to close this case.

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19 IT IS SO ORDERED.

20 Dated: July 12, 2021

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23 UNITED STATES DISTRICT JUDGE
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