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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOHNATHAN SETH HARPER,
Plaintiff,
v.
WELL PATH, et al.,
Defendants.

No. 1:21-cv-0558 JLT HBK (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING THE
ACTION WITHOUT PREJUDICE, AND
DIRECTING THE CLERK OF COURT TO
CLOSE THE CASE
(Doc. 38)

Johnathan Seth Harper initiated this action seeking to hold the defendants liable for violations of his civil rights while incarcerated at Kings County Jail Hanford. (Doc. 1.) The magistrate judge determined that Plaintiff has since failed to prosecute the action and failed to comply with the Court’s orders. (Doc. 38.) Thus, the magistrate judge recommended the action be dismissed without prejudice. (*Id.* at 5.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days. (Doc. 38 at 5.) The Court advised him that the “failure to file objections within the specified time may result in the waiver of certain rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case. Having carefully reviewed the matter, the Court concludes the Findings and Recommendations

1 are supported by the record and proper analysis. Thus, the Court **ORDERS:**

- 2 1. The Findings and Recommendation, filed on April 11, 2024 (Doc. 38) is
3 **ADOPTED** in full.
4 2. The action is **DISMISSED** without prejudice.
5 3. The Clerk of Court is directed to close this case.

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7 IT IS SO ORDERED.

8 Dated: May 8, 2024


UNITED STATES DISTRICT JUDGE

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