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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	ALLAN WILLIAMS,	Case No. 1:21-cv-00686-ADA-CDB
12	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS DISMISSING
13	v.	WITHOUT PREJUDICE PLAINTIFF'S FIRST AMENDED COMPLAINT
14	JP WORLD ENTERPRISES, INC.,	(ECF No. 48)
15	Defendant.	(Let 110. 40)
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17	Allan Williams ("Plaintiff") began this action against Defendant Jp World Enterprises Inc.	
18	("Defendant") on April 26, 2021. (ECF No. 1.) On November 11, 2021, Plaintiff filed a first	
19	amended complaint. (ECF No. 24.) Plaintiff filed requests for entry of default against Defendant	
20	on June 5, 2022, and June 6, 2022. (ECF Nos. 35, 37). The Court issued an order directing the	
21	Clerk of Court to enter a default against Defendant on June 23, 2022. (ECF No. 41.) That same	
22	day, the Clerk entered a default against Defendant. (ECF No. 42.)	
23	On September 29, 2022, the Court issued an order vacating a scheduling conference and	
24	reminding the parties to file a motion for default judgment or to dismiss action. (ECF No. 44.)	
25	Neither party filed a motion.	
26	On December 1, 2022, the Court issued an order to show cause why sanctions should not	
27	be imposed for Plaintiff's failure to file a motion for default judgment or to dismiss the action.	
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(ECF No. 46.) Plaintiff failed to respond to the order to show cause within the required seven days
and the order remains outstanding as of the date of this order (more than two months later).

3	On December 19, 2022, the assigned Magistrate Judge issued findings and		
4	recommendations that the action be dismissed without prejudice because Plaintiff failed to comply		
5	with a court order and failed to prosecute this case. (ECF No. 48.) The findings and		
6	recommendations advised Plaintiff that he must file any objections within 21 days after service of		
7	the order and that the "failure to file objections within the specified time may waive the right to		
8	appeal the District Court's order." (Id. at 3-4.) Plaintiff did not file objections or any other response		
9	to the findings and recommendations, and the deadline to do so has passed.		
10	Pursuant to 28 U.S.C. § 636(b)(1)(C), and Local Rule 304, this Court conducted a <i>de novo</i>		
11	review of this case. Having carefully reviewed the entire matter, this Court concludes the findings		
12	and recommendations are supported by the record and by proper analysis.		
13	Accordingly,		
14	1. The December 19, 2022, findings and recommendations, (ECF No. 48), are adopted in full;		
15	2. Plaintiff's first amended complaint, (ECF No. 24), is dismissed without prejudice for failure		
16	to prosecute and failure to comply with a court order; and		
17	3. The Clerk of the Court be directed to close this case.		
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20	IT IS SO ORDERED.		
21	Dated: <u>February 14, 2023</u> UNITED STATES DISTRICT JUDGE		
22	UNITED BIATES DISTRICT JUDGE		
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