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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CANDACE SMITH,  
Plaintiff,  
v.  
LINDA SCOTT, et al.,  
Defendants.

No. 1:21-cv-01614-DAD-BAM

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(Doc. No. 6)

Plaintiff Candace Smith, proceeding *pro se* and *in forma pauperis*, filed this civil action against Linda Scott and Agape Schools Inc. on November 4, 2021. (Doc. No. 1.)

On March 3, 2022, the assigned magistrate judge screened plaintiff’s complaint pursuant to 28 U.S.C. § 1915(e) and determined that it failed to state a cognizable claim for relief. (Doc. No. 5.) Plaintiff was granted leave to file an amended complaint within thirty (30) days after service of that screening order to attempt to cure the pleading deficiencies identified by the magistrate judge. (*Id.* at 6.) Plaintiff was warned that her failure to file a first amended complaint, or a notice of voluntary dismissal, in compliance with the screening order would result in a recommendation that this action be dismissed, with prejudice, due to plaintiff’s failure to state a claim and failure to obey a court order. (*Id.*) Plaintiff failed to file a first amended complaint or otherwise respond to the court’s screening order.

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Therefore, on April 26, 2022, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed, with prejudice, due to plaintiff's failure to state a cognizable claim for relief, failure to obey a court order, and failure to prosecute. (Doc. No. 6.) The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 7.) To date, no objections to the findings and recommendations have been filed, and the time in which to so has now passed.

Accordingly,

1. The findings and recommendations issued on April 26, 2022 (Doc. No. 6) are adopted;
2. This action is dismissed, with prejudice, due to plaintiff's failure to state a cognizable claim for relief, failure to obey a court order, and failure to prosecute; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: May 24, 2022

Dale A. Inghel  
UNITED STATES DISTRICT JUDGE