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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORMAN JOHNSON,

 Plaintiff,

 v.

AVENAL STATE PRISON, *et al.*,

 Defendants.

Case No. 1:22-cv-00858-JLT-CDB (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FRIVOLOUSNESS**

(Doc. 9)

Clerk of Court to close the case.

The assigned magistrate judge issued findings and recommendations to dismiss because the complaint is frivolous and fails to state a claim upon which relief may be granted (Doc. 9.) Consequently, the magistrate judge determined that the action must be dismissed as required by 28 U.S.C. §§ 1915(e)(2)(B)(i)–(ii) and 28 § 1915A(b)(1). The Court served the findings and recommendations on Plaintiff and provided him 14 days to file objections thereto. Plaintiff has not filed any objections, and the time do so has passed.

According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and proper analysis. Thus, the Court **ORDERS:**

1. The findings and recommendations issued on October 20, 2022, (Doc. 9), are adopted in full;
2. This action is frivolous and fails to state a claim upon which relief may be granted; and

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3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: November 17, 2022


UNITED STATES DISTRICT JUDGE