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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ISRAEL MALDONADO RAMIREZ,  
  
Plaintiff,  
  
v.  
  
J. QUICK, et al.,  
  
Defendants.

Case No. 1:22-cv-01610-ADA-SAB (PC)  
  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DISMISSING  
ACTION  
  
(ECF No. 13)

Plaintiff Israel Maldonado Ramirez is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 19, 2023, the Court issued a screening order finding that Plaintiff’s complaint failed to state a claim upon which relief can be granted. (ECF No. 9.) The Court ordered Plaintiff to file a first amended complaint within thirty days and warned, “If Plaintiff fails to file an amended complaint in compliance with this order, the Court will recommend to a district judge that this action be dismissed consistent with the reasons stated in this order.” (*Id.* at 6.)

When Plaintiff failed to file an amended complaint, the Magistrate Judge issued an order to show cause within fourteen days as to why the Court should not dismiss his case. (ECF No. 10.) Again, the Magistrate Judge warned, “Plaintiff’s failure to comply with this order will result in a recommendation to dismiss the action for the reasons stated above.” (*Id.*)

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1 Plaintiff did not respond to the order to show cause. On March 23, 2023, the Magistrate  
2 Judge issued findings and recommendations recommending dismissal of the action for failure to  
3 state a claim, failure to comply with a court order, and failure to prosecute. (ECF No. 13.) The  
4 findings and recommendations contained notice that Plaintiff had fourteen days within which to  
5 file objections.

6 On March 31, 2023, April 10, 2023, and April 27, 2023, Plaintiff filed affidavits which  
7 the Court construes as objections to the findings and recommendations. (ECF Nos. 14, 15, 16)  
8 In these objections, Plaintiff asks the Court to consider this complaint because this Court  
9 approved his application to proceed *in forma pauperis*. *Id.* Plaintiff's arguments are unpersuasive  
10 as the Court's granting IFP status does not require the Court to address the merits of Plaintiff's  
11 claim.


12 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a  
13 de novo review of this case. Having carefully reviewed the entire file, including Plaintiff's  
14 objections, the Court finds the findings and recommendations to be supported by the record and  
15 proper analysis.

16 Accordingly,

- 17 1. The findings and recommendations issued on March 23, 2023, (ECF No. 13), are  
18 adopted, in full;
- 19 2. The action is dismissed, with prejudice, for failure to state a claim, failure to  
20 prosecute, and failure to obey a court order; and
- 21 3. The Clerk of Court is directed to terminate all pending motions and deadlines and  
22 to close the case.

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25 IT IS SO ORDERED.

26 Dated: May 31, 2023

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UNITED STATES DISTRICT JUDGE