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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEANARD COBBS, JR.,
Plaintiff,
v.
KERN COUNTY, et al.,
Defendants.

Case No.: 1: 23-cv-00360-KES-CDB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS ACTION
FOR PLAINTIFF’S FAILURE TO OBEY A
COURT ORDER AND FAILURE TO
PROSECUTE

Doc. 12

Plaintiff Leanard Cobbs Jr. is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Docs. 1, 7. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 5, 2024, the assigned magistrate judge screened plaintiff’s complaint and found that it failed to state a claim upon which relief could be granted. Doc. 10 at 13. In the screening order, the magistrate judge provided plaintiff the option to either: (1) file an amended complaint curing the deficiencies identified by the Court in its order, or (2) file a notice of voluntary dismissal within twenty-one days. *Id.* at 14. The magistrate judge also expressly warned plaintiff that failure to comply with the order would result in the recommendation that the action be dismissed. *Id.* Plaintiff failed to file an amended complaint or notice of voluntary dismissal. *See* Docket.

1 On December 4, 2024, the assigned magistrate judge recommended this action be
2 dismissed for plaintiff's failure to obey a court order and failure to prosecute. Doc. 12. The
3 findings and recommendations were served on plaintiff and contained notice that any objections
4 thereto were to be filed within fourteen days of service. *Id.* at 4. Plaintiff did not file any
5 objections, and the deadline to do so has passed. Nor has plaintiff otherwise communicated with
6 the Court to date.

7 In accordance with 28 U.S.C. § 636(b)(1), this Court conducted a de novo review of this
8 case. Having carefully reviewed the file, the Court concludes that the findings and
9 recommendations are supported by the record and proper analysis.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. The findings and recommendations issued on December 4, 2024, Doc. 12, are adopted in
12 full;
- 13 2. This action is dismissed, without prejudice, for failure to prosecute and failure to obey a
14 court order; and
- 15 3. The Clerk of the Court is directed to close this case.

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18 IT IS SO ORDERED.

19 Dated: January 3, 2025



UNITED STATES DISTRICT JUDGE

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