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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 WILLIAM XAVIER WATSON, JR.,  
10 Plaintiff,  
11 v.  
12 DIAZ, ET AL.,  
13 Defendants.  
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Case No. 1:23-cv-01750-KES-EPG (PC)  
ORDER ADOPTING  
FINDINGS AND RECOMMENDATIONS  
TO DISMISS THE CASE WITHOUT  
PREJUDICE FOR FAILURE TO EXHAUST  
Doc. 10

16 William Watson, Jr. is a state prisoner proceeding *pro se* and *in forma pauperis* in this  
17 civil rights action pursuant to 42 U.S.C. § 1983. Docs. 1, 7. The matter was referred to a  
18 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

19 On January 8, 2024, the assigned magistrate judge ordered plaintiff to show cause why  
20 this case should not be dismissed, without prejudice, for failure to exhaust available  
21 administrative remedies prior to filing suit as required by the Prison Litigation Reform Act.  
22 Doc. 8. Plaintiff failed to respond to the order to show cause. On February 21, 2024, the  
23 assigned magistrate judge issued findings and recommendations to dismiss this case without  
24 prejudice because plaintiff failed to exhaust available administrative remedies prior to filing  
25 this case. Doc. 10. The court served the findings and recommendations on plaintiff and  
26 notified him that any objections were due within 30 days. *Id.* at 3. Plaintiff has not filed any  
27 objections, and the time to do so has lapsed.  
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1 Pursuant to 28 U.S.C. § 636(b)(1), the court conducted a *de novo* review of this case.  
2 Having carefully reviewed the entire action, the court concludes the findings and  
3 recommendations are supported by the record and proper analysis.

4 Accordingly, the court **ORDERS**:

- 5 1. The findings and recommendations issued on February 21, 2024 (Doc. 10) are  
6 **ADOPTED** in full;
- 7 2. This action is **DISMISSED** without prejudice for failure to exhaust  
8 administrative remedies; and
- 9 3. The Clerk of Court is **DIRECTED** to terminate all pending motions and to close  
10 this case.

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13 IT IS SO ORDERED.

14 Dated: June 5, 2024

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UNITED STATES DISTRICT JUDGE