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8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
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11	FREDDIE MCCARDIE,	Case No.: 1:24-cv-0604 JLT HBK	
12	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, DISMISSING THE	
13	v.	ACTION WITHOUT PREJUDICE, AND DIRECTING THE CLERK OF COURT TO	
14	T. NOLAN, et al.,	CLOSE THE CASE	
15	Defendants.	(Doc. 14)	
16			
17	Freddie McCardie seeks to hold defendants liable for violations of his civil rights while		
18	incarcerated at Corcoran State Prison. The assigned magistrate judge screened the allegations		
19	pursuant to 42 U.S.C. 1915A(a) and found Plaintiff failed to state a cognizable claim. (Doc. 10.)		
20	The Court provided relevant legal standards and granted Plaintiff the opportunity to file an		
21	amended complaint; stand on his complaint, though warned it may be dismissed for failure to		
22	state a claim; or file a notice of voluntarily dismissal. (See id. at 3-7.) The Court also informed		
23	Plaintiff the failure to respond would result in a recommendation that the action be dismissed		
24	without prejudice. (Id. at 6-7.)		
25	After Plaintiff failed to execute any of the identified options, the magistrate judge found		
26	Plaintiff failed to obey the Court's order and failed to prosecute the action. (Doc. 14 at 1-2.) The		
27	magistrate judge found dismissal of the action without prejudice was appropriate, after		
28	considering the factors identified by the Ninth	Circuit in Henderson v. Duncan, 779 F.2d 1421,	

1	1424 (9th Cir. 1986). (Id. at 2-4.) The Court served these Findings and Recommendations on	
2	Plaintiff and notified him at that any objections were due within 14 days. (Id. at 5.) The Court	
3	advised him that the "[f]ailure to file objections within the specified time may result in the waiver	
4	of certain rights on appeal." (Id., citing Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir.	
5	2014).) Plaintiff did not file objections, and the time to do so expired.	
6	According to 28 U.S.C. § 636(b)(1), this Court performed a <i>de novo</i> review of this case.	
7	Having carefully reviewed the matter, the Court concludes the Findings and Recommendations	
8	are supported by the record and proper analysis. Thus, the Court ORDERS:	
9	1. The Findings and Recommendations issued on October 25, 2024 (Doc. 14) are	
10	ADOPTED in full.	
11	2. This action is <b>DISMISSED</b> without prejudice for Plaintiff's failure to obey the	
12	Court's order and failure to prosecute.	
13	3. The Clerk of Court is directed to close this case.	
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15	IT IS SO ORDERED.	
16	Dated: November 23, 2024	{
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