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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRISTA D. CLEM,
JOHN O’SULLIVAN,

Plaintiffs,

No. CIV S-08-0013 FCD EFB PS

vs.

TODD RIEBE, et al.,

Defendants.

ORDER

On July 8, 2010, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

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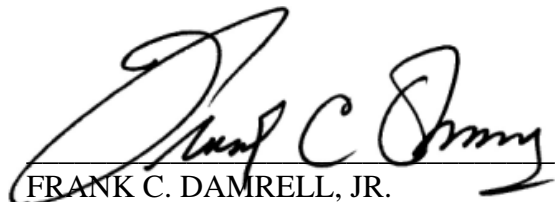
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Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed July 8, 2010, are ADOPTED;
2. Defendants' motion to dismiss for failure to prosecute, Dckt. No. 48, is granted;
3. This action is dismissed pursuant to Federal Rule of Civil Procedure 41(b), based on plaintiffs' failure to prosecute this action; and
4. The Clerk is directed to close the case.

DATED: August 20, 2010.


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE