

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

TERESA WILLIAMS,
an individual,

Plaintiff,

No. CIV S-08-0799 FCD EFB PS

vs.

HAROLD DAWLEY, JR., an
individual, WELLNESS INSTITUTE/
SELF-HELP BOOKS, LLC, and
WELLNESS INSTITUTE, INC.,

Defendants.

ORDER

On November 25, 2008, 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 ten 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 School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

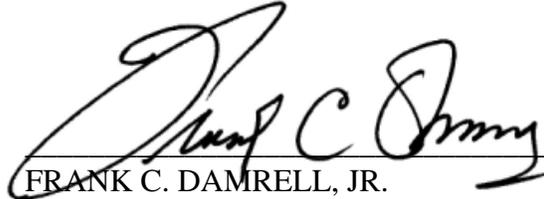
The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed November 25, 2008, are ADOPTED;
 2. This case is DISMISSED pursuant to Fed. R. Civ. P. 41(b), based on plaintiff's failure to prosecute this action;
 3. The magistrate judge's order to show cause, Dckt. No. 50, is DISCHARGED;
- and,
4. Defendants' motion to dismiss or transfer venue, Dckt. No. 48, is DENIED as moot.

DATED: January 23, 2009.



FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE