

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

JOHN T. SHONE, No. CIV S-08-02154-MCE-CMK-F

Plaintiff,

ORDER

CANTIUL SAKAUYE, et al.,

Defendants.

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to § 1983. The matter was referred to a United States Magistrate Judge pursuant to the California local rules.

On November 20, 2008, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the Magistrate Judge's analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed November 20, 2008, are adopted
3 in full;

4 2. This action is dismissed, without prejudice, for lack of prosecution and
5 failure to comply with court rules and orders; and

6 3. The Clerk of the Court is directed to enter judgment and close this case.

7 Dated: January 8, 2009



9 MORRISON C. ENGLAND, JR.
10 UNITED STATES DISTRICT JUDGE