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

DUDLEY JACKLINE,
Plaintiff,

No. CIV S-08-2433-CMK-P

vs.

ORDER

CALIFORNIA DEPARTMENT
OF CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

_____ /

This action was opened as a prisoner civil rights complaint based on a letter written by plaintiff addressed to District Judge Lawrence K. Karlton.¹ The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

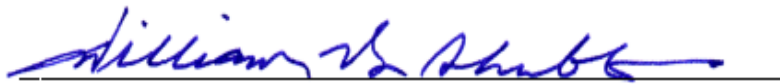
On December 8, 2008, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.

¹ The court uses the word “plaintiff” only for ease of reference. It is unclear whether any civil action was intended.

1 The court has reviewed the file de novo, and accepts the Magistrate Judge's
2 recommendation to dismiss this action without prejudice, not as a sanction for plaintiff's failure
3 to comply with the court's order to either file a formal complaint on the form provided by the
4 court or file a request for voluntary dismissal, but because the court construes plaintiff's inaction,
5 in light of the warning that failure to comply could result in dismissal of the action, to mean that
6 plaintiff has no interest in pursuing this action nor any objection to its dismissal.

7 Accordingly, IT IS HEREBY ORDERED that this action be, and the same hereby
8 is, DISMISSED without prejudice.

9 DATED: January 29, 2009

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12 WILLIAM B. SHUBB
13 UNITED STATES DISTRICT JUDGE
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