UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,

Plaintiff,

v.

PATRICIO ENTERPRISES, et al.,

Defendants.

No. No. 2:13-cv-0118 KJM GGH PS

ORDER

On September 30, 2013, the magistrate judge filed findings and recommendations, 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.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). 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). Having carefully reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS ORDERED that the Findings and Recommendations filed September 30, 2013, are ADOPTED and defendant United States is dismissed from this action without prejudice. *See* Local Rule 110; Fed. R. Civ. P. 41(b).

DATED: February 28, 2014.

UNITED STATES DISTRICT JUDGE