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6   UNITED STATES DISTRICT COURT

7   FOR THE EASTERN DISTRICT OF CALIFORNIA

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9   G. DANIEL WALKER,   No. 2:17-cv-1764 KJM DB P

10   Plaintiff,

11   v.   ORDER

12   SCOTT KERNAN, et al.,

13   Defendants.

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15   Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights

16   action pursuant to 42 U.S.C. § 1983. Plaintiff claims defendants conspired to retaliate against

17   him because he named them as defendants in lawsuits. The matter was referred to a United States

18   Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

19   On July 28, 2021, the magistrate judge filed findings and recommendations herein which

20   were served on all parties and which contained notice to all parties that any objections to the

21   findings and recommendations were to be filed within twenty days. (ECF No. 73.) Neither party

22   has filed objections to the findings and recommendations.

23   The court presumes that any findings of fact are correct. *See Orand v. United States*, 602

24   F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.

25   *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the

26   magistrate judge are reviewed de novo by both the district court and [the appellate] court . . . .").

27   Having reviewed the file, the court finds the findings and recommendations to be supported by

28   the record and by the proper analysis.

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1   Accordingly, IT IS HEREBY ORDERED that:

2   1. The findings and recommendations filed July 27, 2021, are adopted in full;

3   2. This action is dismissed without prejudice; and

4   3. The clerk of court close this case

5   DATED: September 7, 2021.

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     CHIEF UNITED STATES DISTRICT JUDGE
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