1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 GARY FRANCIS FISHER, No. 2:18-cv-2799 JAM CKD P 12 Plaintiff, 13 **ORDER** v. 14 DIRECTOR OF OPS OF CDCR, 15 Defendant. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On June 12, 2019, the magistrate judge filed findings and recommendations herein which 21 were served on plaintiff and which contained notice to plaintiff that any objections to the findings 22 and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the 23 findings and recommendations. 24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this 25 court has conducted a <u>de novo</u> review of this case. Having carefully reviewed the entire file, the 26 court finds the findings and recommendations to be supported by the record and by proper 27 analysis. 28 ///// 1

Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed June 12, 2019, are adopted in full; and 2. This action is dismissed without prejudice. DATED: October 7, 2019 /s/ John A. Mendez_ UNITED STATES DISTRICT COURT JUDGE