Case 2:19-cv-00530-KJM-EFB Document 18 Filed 12/02/20 Page 1 of 2 1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 MARION CHILLIS, No. 2:19-cv-0530-KJM-EFB P 12 Plaintiff, 13 **ORDER** v. 14 ROBERT NEUSCHMID, et al., 15 Defendants. 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 as provided 19 by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On August 21, 2020, the magistrate judge filed findings and recommendations, 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 de novo review of this case. Having reviewed the file, the court finds the 26 findings and recommendations to be supported by the record and by the proper analysis. As the 27 magistrate judge correctly notes, the operative complaint does not allege facts supporting a First ///// 28 1

Amendment claim; rather it appears focused primarily on the state's practice with respect to telephone cards not complying with state regulations. Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed August 21, 2020, are adopted in full; 2. Plaintiff's second amended complaint (ECF No. 15) is dismissed without leave to amend; and 3. The Clerk is directed to close the case. DATED: December 2, 2020. ED STATES DISTRICT JUDGE

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