1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 KENNETH GARVIN, No. 2:19-cv-02024-TLN-AC 12 Plaintiff. 13 **ORDER** v. 14 MULE CREEK STATE PRISON, 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 October 18, 2021, the magistrate judge filed findings and recommendations herein 21 which were served on Plaintiff and which contained notice to Plaintiff that any objections to the 22 findings and recommendations were to be filed within fourteen days. (ECF No. 17.) Plaintiff has 23 filed objections to the findings and recommendations. (ECF No. 18.) In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this 24 25 Court has conducted a *de novo* 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 October 28, 2021, (ECF No. 17), are adopted in full.
- 2. The Complaint is dismissed for failure to state a claim for the reasons set forth in the April 12, 2021 Screening Order (ECF No. 7). See L.R. 110; Fed. R. Civ. P. 41(b); 28 U.S.C. § 1915A.
 - 3. The Clerk of the Court is directed to close this case.

DATE: November 29, 2021

Troy L. Nunley

United States District Judge