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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA BLAND,  
Plaintiff,  
v.  
UNKNOWN,  
Defendant.

No. 2:19-cv-2102 CKD P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On December 5, 2019, plaintiff entered into a settlement agreement in Bland v. Badger (Bland I), 1:19-cv-0702 DAD EPG, that included the dismissal of this case with prejudice. ECF No. 12. Plaintiff then requested that the settlement be rescinded. Bland I, ECF Nos. 36, 37. The request was denied. Bland I, ECF No. 50. Accordingly, the settlement agreement remains valid and it will be recommended that this case be dismissed with prejudice in accordance with the settlement agreement in Bland I.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly assign a United States District Judge to this action.

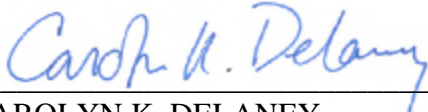
IT IS FURTHER RECOMMENDED that this action be dismissed with prejudice in accordance with the settlement agreement in Bland v. Badger, 1:19-cv-0702 DAD EPG.

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These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: December 9, 2020

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

13:blan2102.dismiss.f&r