UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID PERRYMAN,

Plaintiff,

v.

CA. DEPT. OF CORRECTIONS AND REHABILTIATION, et al.,

Defendants.

No. 2:19-cv-2517 JAM KJN P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 25, 2021, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. On July 15, 2021, plaintiff was granted a 60 day extension of time to objections; on August 19, 2021, plaintiff was granted a 45 day extension of time to file objections; on October 01, 2021, plaintiff was granted one final 30 day extension of time to file objections, and warned that failure to file objections would result in the findings and recommendations being forwarded to the district court. Plaintiff did not file objections to the findings and recommendations.

The court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 25, 2021 (ECF No. 32), are **ADOPTED** in full; and

2. This action is **DISMISSED** without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

Dated: November 22, 2021

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE

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