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9	IN THE UNITED STATES DISTRICT COURT	
10	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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12	JASON ALLEN DUQUE,	No. 2:20-CV-2121-KJM-DMC-P
13	Plaintiff,	
14	V.	<u>ORDER</u>
15	MILLIS, et al.,	
16	Defendants.	
17		
18	Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42	
19	U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern	
20	District of California local rules.	
21	On September 29, 2021, the Magistrate Judge filed findings and recommendations	
22	herein which were served on the parties and which contained notice that the parties may file	
23	objections within the time specified therein. No objections to the findings and recommendations	
24	have been filed.	
25	The court presumes that any findings of fact are correct. See Orand v. United	
26	States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are	
27	reviewed de novo. See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations	
28	of law by the magistrate judge are reviewed de	e novo by both the district court and [the appellate]
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1	court "). Having reviewed the file, the court finds the findings and recommendations to be	
2	supported by the record and by the proper analysis.	
3	Accordingly, IT IS HEREBY ORDERED that:	
4	1. The findings and recommendations filed September 29, 2021, are adopted	
5	in full;	
6	2. This action is dismissed without prejudice for lack of prosecution and	
7	failure to comply with court rules and orders; and	
8	3. The Clerk of the Court is directed to enter judgment and close this file.	
9	DATED: December 16, 2021.	
10	InA man	
11	CHIEF UNITED STATES DISTRICT JUDGE	
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