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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

AUMINTRIUS DAMOUT GUNN,

Plaintiff,

v.

STANTON CORRECTIONAL
FACILITY, et al.,

Defendants.

No. 2:21-CV-0569-JAM-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On September 29, 2021, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within the time specified therein. Timely objections to the findings and recommendations have been filed.¹

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¹ Plaintiff states: “I want to file a [sic] objection for a dismissal of this action.” See ECF No. 11. Plaintiff does not otherwise offer any analysis as to why the Magistrate Judge’s findings and recommendations should not be adopted. Nor does Plaintiff explain his failure to comply with the Court’s prior order.

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In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The findings and recommendations filed September 29, 2021, are adopted in full;
- 2. This action is dismissed without prejudice for lack of prosecution and failure to comply with court rules and orders; and
- 3. The Clerk of the Court is directed to enter judgment and close this file.

Dated: December 20, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE