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8   **IN THE UNITED STATES DISTRICT COURT**

9   **FOR THE EASTERN DISTRICT OF CALIFORNIA**

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11   SAMUEL LEE GORE,   No. 2:21-CV-1189-KJM-DMC-P

12   Plaintiff,

13   v.   ORDER

14   GAVIN NEWSOM,

15   Defendant.

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17   Plaintiff, a prisoner proceeding pro se, brings this civil rights action under

18   42 U.S.C. § 1983.   The matter was referred to a United States Magistrate Judge under the Eastern

19   District of California local rules.

20   On September 22, 2021, the Magistrate Judge filed findings and recommendations,

21   which were served on the parties and which contained notice that the parties may file objections

22   within the time specified therein. No objections to the findings and recommendations have been

23   filed.

24   The court presumes that any findings of fact are correct. *See Orand v. United*

25   *States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are

26   reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations

27   of law by the magistrate judge are reviewed de novo by both the district court and [the appellate]

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court . . . ."). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.
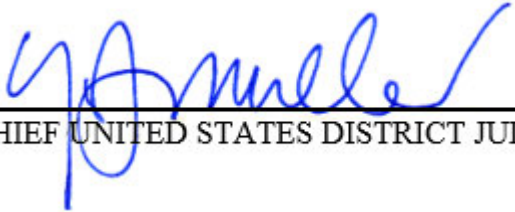
Accordingly, IT IS HEREBY ORDERED that:

1.   The findings and recommendations filed September 22, 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: November 16, 2021.

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CHIEF UNITED STATES DISTRICT JUDGE