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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORM VONGPHOSY,

 Petitioner,

 v.

DEPARTMENT OF IMMIGRATION
CUSTOMS ENFORCEMENT,

 Respondent.

No. 2:21-mc-0001-KJM-CKD

ORDER

Petitioner filed this action seeking to change the birthdate on his certificate of naturalization. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 9, 2021, the magistrate judge filed findings and recommendations, which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner has not filed 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 Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

1 . . .”). 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:

- 4 1. The findings and recommendations filed August 9, 2021 are adopted in full;
- 5 2. This action is dismissed without prejudice for failure to prosecute;
- 6 3. This dismissal shall not operate as an adjudication on the merits; and
- 7 3. The Clerk of Court is directed to close this case.

8 DATED: September 7, 2021.

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12 CHIEF UNITED STATES DISTRICT JUDGE
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