1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 NICKOLAS GORDON No. 2:22-cv-01283-WBS-CKD KJELDERGAARD, 12 Plaintiff, 13 ORDER v. 14 EASMON, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On October 13, 2023, the magistrate judge filed findings and recommendations herein 21 which were served on plaintiff and which contained notice to plaintiff that any objections to the 22 findings and recommendations were to be filed within fourteen days. Plaintiff has not filed 23 objections to the findings and recommendations. 24 The court presumes that any findings of fact are correct. See Orand v. United States, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. 26 See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having 27 reviewed the file, the court finds the findings and recommendations to be supported by the record 28

and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed October 13, 2023, are adopted in full. 2. This action is dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b). 3. The Clerk of Court is directed to close this case. Dated: December 20, 2023 WILLIAM B. SHUBB UNITED STATES DISTRICT JUDGE 12/kjel1283.800