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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL E. JACQUES,  
Plaintiff,  
v.  
JEFF MACOMBER, et al.,  
Defendants.

No. 2:23-cv-00345-TLN-AC

**ORDER**

Plaintiff Michael E. Jacques (“Plaintiff”), a state prisoner proceeding *pro se*, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 5, 2024, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 14.) Plaintiff has not filed objections to the findings and recommendations.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations (ECF No. 14) are ADOPTED IN FULL;
2. For the reasons set forth in the September 23, 2024 Screening Order (ECF No. 10 at 4–

1 6), the official capacity claims against Defendant Franceschi and all claims against Defendant  
2 Macomber are DISMISSED without prejudice;

3 3. The Clerk of the Court is directed to terminate Defendant Macomber from this action;  
4 and

5 4. This matter is referred back to the assigned magistrate judge for all further pretrial  
6 proceedings.

7 IT IS SO ORDERED.

8 Date: January 24, 2025

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TROY L. NUNLEY  
CHIEF UNITED STATES DISTRICT JUDGE