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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN MARK VAN DEN HEUVEL,

Plaintiff,

v.

EL DORADO COUNTY JUDICIALS, et
al.,

Defendants.

No. 2:23-cv-01523-DAD-DB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION DUE TO PLAINTIFF'S FAILURE
TO OBEY A COURT ORDER

(Doc. No. 5)

Plaintiff John Mark Van den Heuvel is a former county detainee proceeding *pro se* in this civil rights action pursuant to 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 September 26, 2023, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to plaintiff's failure to obey a court order. (Doc. No. 5.)¹ The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. (*Id.* at 2.) To date, no objections to the findings and

¹ On August 4, 2023, plaintiff was ordered to submit, within thirty days, either the \$350.00 filing fee plus the \$52.00 administrative fee or a properly completed application to proceed in forma pauperis on the form provided with this order. (Doc. No. 4.) Plaintiff was also cautioned that his failure to comply with that order or seek an extension of time to do so would result in the dismissal of this action without prejudice. (*Id.*) Plaintiff failed to comply with the August 4, 2023 order leading to the issuance of the pending findings and recommendations.

1 recommendations have been filed, and the time in which to do so has now passed.

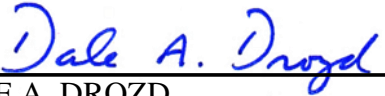
2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
3 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
4 findings and recommendations are supported by the record and by proper analysis.

5 Accordingly:

- 6 1. The findings and recommendations issued on September 26, 2023 (Doc. No. 5) are
7 adopted in full;
- 8 2. This action is dismissed, without prejudice, due to plaintiff's failure to obey a
9 court order; and
- 10 3. The Clerk of the Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: November 30, 2023

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14 DALE A. DROZD
15 UNITED STATES DISTRICT JUDGE

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