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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,  
Plaintiff,  
v.  
WARDEN CHCF, et al.,  
Defendants.

No. 2:24-cv-01274-DAD-CSK (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS ACTION

(Doc. No. 4)

Plaintiff Michael L. Overton is a state prisoner 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 May 7, 2024, the court ordered plaintiff to either file a motion to proceed *in forma pauperis* or pay the required filing fee in order to proceed with this action. (Doc. No. 3.) The court provided plaintiff with thirty days to comply with that order. (*Id.* at 1.) Plaintiff has not paid the required filing fee to proceed with this action nor filed an application to proceed *in forma pauperis*, and the deadline in which to do so has passed.

Accordingly, on June 13, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to plaintiff's failure to comply with the court's order and failure to pay the filing fee. (Doc. No. 4.) The findings and recommendations were served upon plaintiff and contained notice that any

1 objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 1.) To date,  
2 plaintiff has not filed any objections and the time in which to do so has passed.

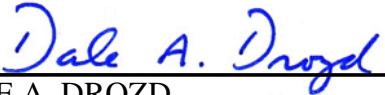
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a  
4 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
5 pending findings and recommendations are supported by the record and proper analysis.

6 Accordingly:

- 7 1. The findings and recommendations issued on June 13, 2024 (Doc. No. 4) are  
8 adopted in full;
- 9 2. This action is dismissed, without prejudice, due to plaintiff's failure to pay the  
10 required filing fee and failure to comply with a court order; and
- 11 3. The Clerk of the Court is directed to close this case.

12 IT IS SO ORDERED.

13 Dated: July 26, 2024

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16 DALE A. DROZD  
17 UNITED STATES DISTRICT JUDGE  
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