

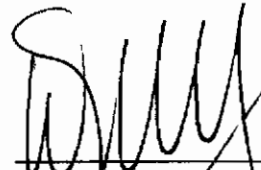
John Reed and Charles Fiechtner, Sr. Plaintiffs John Reed and Charles Fiechtner, Sr. did not timely object to the Findings and Recommendation, and so have waived the right to de novo review of the record. 28 U.S.C. § 636(b)(1). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

Plaintiff Patricia Reed filed a Motion to Proceed In Forma Pauperis under authority of 28 U.S.C. § 1915(a)(1), and lodged a Complaint on behalf of all three Plaintiff. Plaintiffs John Reed and Charles Fiechtner, Sr. never filed a motion to proceed in forma pauperis or a filing fee as directed by Orders dated August 31, 2011, and September 20, 2011. Judge Lynch found in the interest of judicial economy that the Court’s time is better spent on cases in which the litigants are compliant. However, to allow for the potential of a future disposition of this case on its merits, he did not recommend dismissal as an adjudication of the merits of the claims of John Reed and Fiechtner. After a review of Judge Lynch’s Findings and Recommendation, I find no clear error. Accordingly,

IT IS HEREBY ORDERED that Judge Lynch’s Findings and

Recommendation (dkt #7) are adopted in full. This case is DISMISSED
WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 41(b) as to Plaintiffs John
Reginald Reed and Charles Adam Fiechtner, Sr. only.

Dated this 15th day of November, 2011.



Donald W. Molloy, District Judge
United States District Court

