

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Budd v. Harrison

No. 2:23-cv-2313 KJM CSK P (E.D. Cal. Mar. 14, 2025) · No. 2:23-cv-2313 KJM CSK P · Decided March 17,
2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 DANTE RENEE BUDD, No. 2:23-cv-2313 KJM CSK P 12 Plaintiff, 13 v.
ORDER 14 J. HARRISON, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro
se, filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983.

The matter was referred to a United States Magistrate Judge as provided 19 by 28 U.S.C. § 636(b)
(1)(B) and Local Rule 302. 20 On January 23, 2025, the magistrate judge filed findings and
recommendations, which 21 were served on all parties and which contained notice to all parties
that any objections to the 22 findings and recommendations were to be filed within fourteen days.

Neither party filed 23 objections to the findings and recommendations. 24 The court presumes that
any findings of fact are correct. See *Orand v. United States*, 25 602 F.2d 207, 208 (9th Cir. 1979).
The magistrate judge's conclusions of law are reviewed de 26 novo. 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: 2 1. The findings and recommendations (ECF No. 39) are adopted in full; and 3 2. This
action is dismissed without prejudice based on plaintiff's failure to prosecute.

4 | DATED: March 14, 2025 6 = 4 Y ees, STATES DISTRICT JUDGE 9 10 1] 12 13 14 15 16 17
18 19 20 21 22 23 24 25 26 27 28