

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Gastelum v. Bed Bath & Beyond, Inc.

Gastelum · No. 1:22-cv-01173-ADA-CDB · Decided March 10, 2023

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations recommending dismissal of the action without prejudice for failure to prosecute and failure to comply with Federal Rule of Civil Procedure 4(m). The court found the recommendations supported by the record, directed the Clerk to close the case, and entered the order on March 10, 2023.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 FERNANDO GASTELUM, Case No. 1:22-cv-01173-ADA-CDB 12
Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING
13 v. THIS CASE 14 BED BATH & BEYOND, INC., (Doc. 14) 15 Defendant. 16 17 18 On
February 8, 2022, the assigned magistrate judge issued findings and recommendations 19 to
dismiss Plaintiff’s complaint without prejudice for failing to prosecute and failure to comply 20
with Fed.

R. Civ. P. 4(m). The Court served the findings and recommendations on Defendant and 21 gave
him 14 days to file objections thereto. Defendant’s deadline for filing objections if any was 22
February 22, 2023, and as of the date of this Order, no objections have been filed.

The findings 23 and recommendations advised Defendant that “failure to file objections within the
specified time 24 may result in the waiver of rights on appeal.” (Doc. 14); *Turner v. Duncan*, 158
F.3d 449, 455 25 (9th Cir. 1998). 26 According to 28 U.S.C. § 636(b)(1)(C), this Court has
conducted a de novo review of this 27 case.

Having carefully reviewed the entire file, the Court concludes the findings and recommendations
are supported by the record and by proper analysis. 1 Based upon the foregoing, the Court
ORDERS: 2 1. The findings and recommendations issued on February 8, 2023 (Doc. 14) are
adopted 3 in full; 4 2.

The Clerk of Court be directed to close this case. 5 6 7 | IT IS SO ORDERED. 8 Dated: _ March
10, 2023 9 UNITED STATES DISTRICT JUDGE 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24
25 26 27 28

