UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL S. BAREFIELD, SR., Plaintiff, v. KATHLEEN ALLISON, et al., Defendants.	No. 2:23-cv-01312-DJC-EFB (PC) ORDER

Plaintiff, a state prison inmate, proceeds without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to a Magistrate Judge under Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

On March 12, 2024, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the Magistrate Judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 12, 2024 (ECF No. 12), are adopted in full;

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2. Plaintiff's claim(s) against defendant Howard Mosely are dismissed without prejudice for failure to state a claim; and

3. The Clerk of Court is directed to terminate Mosely as a defendant in this action.

4. This matter is referred back to the assigned Magistrate Judge for all further pretrial proceedings.

IT IS SO ORDERED.

Dated: **August 1, 2024**

Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE