IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DeEARL FOSTER, Plaintiff, v. AIDANA RAMIREZ, Defendant.	No. 2:24-CV-2036-DJC-DMC-P ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On December 17, 2025, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge's analysis. Having considered the factors described in *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992) the Court finds that dismissal is appropriate

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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed December 17, 2025, ECF No. 22, are adopted in full.

2. This action is dismissed without prejudice for lack of prosecution and failure to comply with court rules and orders.

3. The Clerk of the Court is directed to enter judgment and close this file.

IT IS SO ORDERED.

Dated: **February 13, 2026**

Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE