UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BASILIO TREVON SIMS, Plaintiff, v. SACRAMENTO SHERIFF'S DEPARTMENT, Defendant.	No. 2:25-cv-02849-DC-SCR (PC) ORDER ADOPTING FINDINGS AND RECOMMENDATIONS (Doc. No. 12)

Plaintiff Basilio Trevon Sims, a state prisoner proceeding *pro se* and *in forma pauperis* filed this civil rights action seeking relief under 42 U.S.C. § 1983. (Doc. No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 6, 2025, Plaintiff filed a first amended complaint. (Doc. No. 5.) The assigned magistrate judge screened Plaintiff's complaint on October 28, 2025, and found Plaintiff's first amended complaint failed to state a claim upon which relief may be granted. (Doc. No. 9.) The magistrate judge dismissed Plaintiff's first amended complaint with leave to amend and provided Plaintiff thirty (30) days to file an amended complaint. (*Id.* at 6.) The magistrate judge cautioned Plaintiff that failure to file an amended complaint would result in a recommendation that this action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (*Id.*) Plaintiff

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did not file an amended complaint or otherwise respond to the order.

Accordingly, on January 5, 2026, the magistrate judge issued findings and recommendations recommending that this action be dismissed for failure to prosecute and to comply with a court order. (Doc. No. 12.) The findings and recommendations were served upon Plaintiff and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. (*Id*. at 2.) Plaintiff has not filed objections and the time in which to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the pending findings and recommendations are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 5, 2026 (Doc. No. 12) are ADOPTED IN FULL;
2. This action is dismissed without prejudice; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: **March 29, 2026**

Dena Coggins
United States District Judge