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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JOHN I. MCALLISTER,

CASE NO. 1:06-cv-00082-OWW-SKO PC

Plaintiff,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

v.

(Doc. 15)

J.E. GUNJA, et al.,

Defendants.

Plaintiff John I. McAllister (“Plaintiff”) is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). 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 February 10, 2009, the Magistrate Judge issued a Findings and Recommendations which recommended that Plaintiff’s equal protection claims and due process claims be dismissed and that Defendants Gunja, Booth, Gant, Jusino, Smith, and the U.S. Bureau of Prisons be dismissed from this action. The Findings and Recommendations were served on Plaintiff and contained notice to Plaintiff that any objections to the Findings and Recommendations were to be filed within thirty (30) days of date on which they were served. Plaintiff has not filed objections to the Findings and Recommendations.<sup>1</sup>

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<sup>1</sup>Defendants made an appearance in this action after the findings and recommendations issued. Defendants have not filed objections to the findings and recommendations.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 305, this Court  
2 has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court  
3 finds the Findings and Recommendations to be supported by the record and by proper analysis.

4 Accordingly, the Court HEREBY ORDERS that:

- 5 1. The February 10, 2009 Findings and Recommendations are ADOPTED in full;
- 6 2. Plaintiff's equal protection claims and due process claims are DISMISSED; and
- 7 3. Defendants Gunja, Booth, Gant, Jusino, Smith, and the U.S. Bureau of Prisons are  
8 DISMISSED from this action. IT IS SO ORDERED.

9 **Dated: June 7, 2010**

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE

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