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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MAUWAI FARHA,

Plaintiff,

v.

B. SILVA, et al.,

Defendants.

CASE NO. 1:06-cv-00755-OWW-SKO PC

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

(Doc. 61, 65)

Plaintiff Mauwai Farha (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. 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 April 30, 2010, the Magistrate Judge issued a Findings and Recommendations which recommended that Defendant Swain be dismissed pursuant to Federal Rule of Civil Procedure 4(m) due to Plaintiff’s failure to effect service of process. (Doc. #65.) The Magistrate Judge also recommended that Plaintiff’s April 1, 2010 motion requesting additional information regarding Defendant Swain’s current address be denied. (Doc. #61.) 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 the date on which the Findings and Recommendations were served. Plaintiff has failed to file timely objections to the Findings and Recommendations.

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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 April 30, 2010 Findings and Recommendations are ADOPTED in full;
- 6 2. Plaintiff's April 1, 2010 motion is DENIED; and
- 7 3. Defendant Swain is dismissed from this action.

8 IT IS SO ORDERED.

9 **Dated:** September 15, 2010

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE

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