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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KANE CAMPBELL,

Plaintiff,

v.

GERAGOS B. GERAGOS, et al.,

Defendants.

CASE NO. 1:10-cv-02231-LJO-GBC PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DISMISSAL OF ACTION, WITHOUT
PREJUDICE, FOR FAILURE TO STATE A
CLAIM

(Docs. 1, 4)

_____ /

Plaintiff Kane Campbell¹ (“Plaintiff”), a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983, filed the [complaint](#) in this action on December 2, 2010. (Doc. 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 December 9, 2010, the Magistrate Judge issued [findings and recommendations](#) recommending that the action be dismissed for failure to state a claim. (Doc. 4.) The parties were given thirty days within which to file objections and no objections have been filed.

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

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¹Plaintiff is also known as Wesley Kane Campbell.

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Accordingly, IT IS HEREBY ORDERED that:

- 1. The findings and recommendations, filed December 9, 2010, are adopted in full;
- 2. This action, is dismissed, without prejudice, based on Plaintiff's failure to state a claim upon which relief may be granted under section 1983;
- 3. This dismissal shall count as a strike pursuant to 28 U.S.C. § 1915(g); and
- 4. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: January 27, 2011

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE