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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES JAMES CHATMAN

Plaintiff,

No. CIV S-03-2415 JAM EFB (TEMP) P

vs.

T. FELKER, et al.

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 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 General Order No. 262.

On February 3, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed February 3, 2011, are adopted in full.
2. The motion to dismiss (Docket No. 139) is granted as to defendants Amero and Runnels.
3. The motion to dismiss is denied as to defendants Zillis, Pontarolo, Turner, Weaver and Goforth.
4. Plaintiff's pre-trial statement filed March 7, 2011, is deemed timely filed.
5. The remaining defendants (Zillis, Pontarolo, Turner, Weaver, Goforth, Roberts, Pedicard, Wright and Beckman) have twenty-one days from the entry of this order in which to file their pre-trial statement.

DATED: March 25, 2011

/s/ John A. Mendez
UNITED STATES DISTRICT JUDGE