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

ADONAI EL-SHADDAI,

Plaintiff,

No. CIV S-06-1898 KJM EFB P

vs.

B. WHEELER, 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 5, 2011, the magistrate judge filed findings and recommendations, 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. Defendants have filed objections to the findings and recommendations, and plaintiff has responded to the objections.

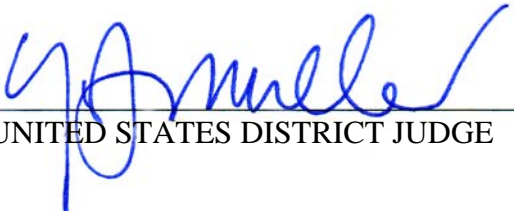
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed April 5, 2011, are adopted in full;
2. Defendants' January 3, 2011 motion to declare plaintiff a vexatious litigant is denied; and
3. Trial confirmation hearing is set for July 20, 2011 at 11:00 a.m. in courtroom no. 3. A trial date will be confirmed at that hearing.

DATED: June 10, 2011.


UNITED STATES DISTRICT JUDGE