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

CHRISTOPHER KYLE PRATER,

Plaintiff,

No. CIV S-06-1993 FCD GGH P

vs.

MTA OLIVER, et al.,

Defendants.

ORDER

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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 Rule 302.

On February 16, 2010, 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 twenty-one 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 16, 2010, are adopted in full;

2. Defendants' June 1, 2009 (docket #56), motion for summary judgment is granted in part and denied in part, as follows: GRANTED as to defendants Olver, Lee and Stocker, and DENIED as to defendant Sahota.

3. This matter shall proceed to trial on a claim for money damages as to defendant Sahota.

DATED: March 31, 2010.

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE