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

JAMES EDWARD CRITTENDEN,

Plaintiff,

2:07-cv-1013-GEB-JFM-P

vs.

J. MITZEL, 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 January 10, 2008, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty days. Plaintiff has not filed objections to the findings and recommendations.

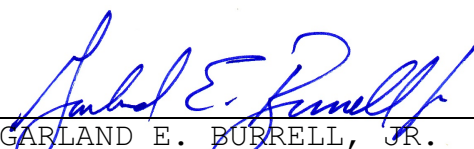
The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed January 10, 2008, are adopted in full;
 2. Defendants' September 27, 2007 motion for involuntary dismissal is partially granted;
 3. Plaintiff's May 29, 2007 application to proceed in forma pauperis is denied;
- and
4. Within twenty days from the date of this order, plaintiff shall submit the filing fee of \$350.00. Failure to timely pay this fee will result in the dismissal of this action.

Dated: February 5, 2008



GARLAND E. BURRELL, JR.
United States District Judge