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

KENNETH SMITH,

Plaintiff,

No. CIV S-07-1683 FCD KJM PS

vs.

SACRAMENTO METRO PROBATION
DIV.,

Defendants.

ORDER

Plaintiff, proceeding pro se, filed the above-entitled actions. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On October 22, 2007, 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 ten 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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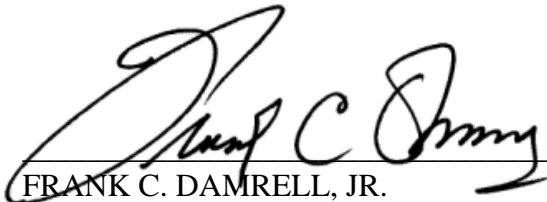
1. The findings and recommendations filed October 22, 2007, are adopted in full;

and

2. This action is dismissed without prejudice. See Local Rule 11-110; Fed. R.

Civ. P. 41(b).

DATED: January 31, 2008.


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE