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

DEAREL GIBSON,

Plaintiff,

No. CIV S-09-2388 GEB DAD P

vs.

R.K. Wong, 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 Rule 302.

On June 11, 2010, 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-one days. Plaintiff has not filed objections to the findings and recommendations.

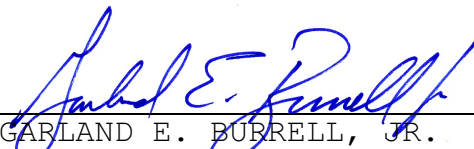
The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed June 11, 2010, are adopted in full;
2. Defendants' February 8, 2010 motion for partial dismissal of plaintiff's claims is granted; and
3. This action shall proceed against defendants Wong, Fox, and Peck on plaintiff's Eighth Amendment claim that his administrative segregation cell was ventilated with "ice cold air."

Dated: July 12, 2010

  
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GARLAND E. BURRELL, JR.  
United States District Judge