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

PENNY ARNOLD,

Plaintiff,

CIV-S-10-3119 KJM GGH PS

vs.

COUNTY OF EL DORADO, et al.,

Defendants.

ORDER

_____/

In this case, plaintiff is proceeding pro se on civil rights and related claims against El Dorado County and two deputy sheriffs.

On March 15, 2011, the magistrate judge filed findings and recommendations, which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections have been filed.¹

Accordingly, the court presumes any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

¹ On May 16, 2011, plaintiff did file a proposed order adopting the findings and recommendations, which the court has reviewed.

1 The court has reviewed the applicable legal standards and, good cause appearing,
2 concludes that it is appropriate to adopt the Findings and Recommendations in full.

3 Accordingly, IT IS ORDERED that the Findings and Recommendations filed
4 March 15, 2011, are ADOPTED and

5 1. Defendants' motion to dismiss, filed on January 28, 2011 (ECF 8), is denied in
6 all respects except as set forth in (2), (3) and (4) below;

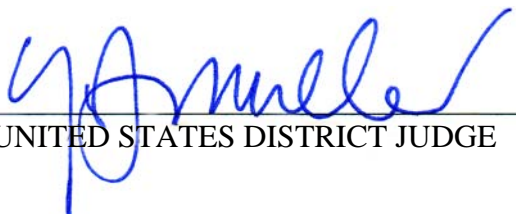
7 2. All claims with respect to unlawful arrest are dismissed with prejudice;

8 3. The first cause of action (*Monell*) is dismissed as to defendant County of El
9 Dorado with leave to amend;

10 4. To the extent that the third cause of action is any different from the first, and
11 plaintiff is attempting to allege a *Monell* claim, it too is dismissed with leave to amend; and

12 5. If plaintiff wishes to file an amended complaint, she shall do so within
13 fourteen (14) days of this order; if no amended complaint is filed within that time period,
14 defendants shall file and serve an answer to the remaining claims within fourteen (14) days
15 thereafter.

16 DATED: September 12, 2011.

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19 UNITED STATES DISTRICT JUDGE
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