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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

WINDZER GERARD  
FLEURISSAINT,  
  
  Plaintiff,  
  
  vs.  
  
JOSEPH NORWOOD, et al.,  
  
  Defendants.

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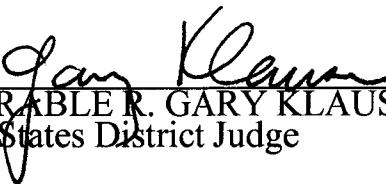
Case No. EDCV 09-1915-RGK (OP)  
  
ORDER ADOPTING FINDINGS,  
CONCLUSIONS, AND  
FINAL RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. The Court concurs with and adopts the findings, conclusions, and recommendations of the Magistrate Judge, and the Objections filed by Plaintiff, de novo,

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1 IT IS HEREBY ORDERED THAT: (1) this Report and Recommendation is  
2 approved and adopted; (2) Defendants' Motion to Dismiss the portion of Claim III  
3 alleging that Defendant Jensen and others threatened to make Plaintiff's life  
4 miserable, refused to feed him, disabled his cell water, withheld his mail, and that  
5 Defendant Norwood failed to act upon learning of the harassment, without prejudice  
6 for failure to exhaust administrative remedies is granted; (3) and Defendants shall  
7 file an Answer to Claims One and Two, and the portion of Claim Three alleging  
8 retaliation through Plaintiff's transfer to the SMU at FCI Talladega, within thirty  
9 days of the entry of this Order.

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11 DATED: JAN - 4 2011

  
HONORABLE R. GARY KLAUSNER  
United States District Judge

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14 Prepared by:

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18 HONORABLE OSWALD PARADA  
United States Magistrate Judge

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