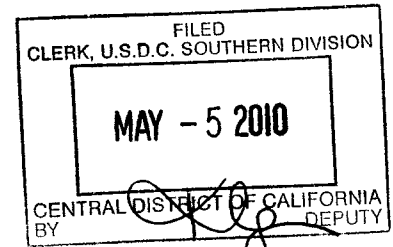


1  
2 I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY  
3 FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL *Petitioner*  
4 (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF  
5 RECORD IN THIS ACTION ON THIS DATE.

DATED: 5/5/2010

*[Signature]*  
DEPUTY CLERK



6  
7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA

9 DANIEL SCOTT FROST,

10 Plaintiff,

11 vs.

12 TERESER BANKS, et al.,

13 Defendants.  
14  
15

Case No. SACV 09-0591-DMG (RNB)

ORDER ADOPTING FINDINGS,  
CONCLUSIONS AND  
RECOMMENDATIONS OF UNITED  
STATES MAGISTRATE JUDGE

16  
17 Pursuant to 28 U.S.C. § 636, the Court has reviewed all the records and files herein,  
18 including the Report and Recommendation of the United States Magistrate Judge. No  
19 objections to the Report and Recommendation have been filed herein. The Court concurs  
20 with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

21 IT THEREFORE IS ORDERED that (1) defendants' Motion to Dismiss is granted;  
22 and (2) Judgment be entered dismissing this action without prejudice for failure to  
23 exhaust administrative remedies.

24  
25 DATED: April 30, 2010

26  
27 *Dolly M. Gee*  
DOLLY M. GEE  
28 UNITED STATES DISTRICT JUDGE