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

GREGORIO C. FUNTANILLA, JR.,	1:02-cv-06001-OWW-GSA-PC
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS (Doc. 196.)
vs.	
DAVID TRISTAN, et al.,	ORDER DISMISSING DEFENDANT HANSE FROM THIS ACTION
Defendants.	

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Gregorio C. Funtanilla, Jr. (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 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 72-302.

On October 30, 2008, [findings and recommendations](#) were entered, recommending that defendant Hanse be dismissed from this action based on plaintiff’s failure to provide sufficient information to effect service of the summons and complaint upon this defendant. Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty days. On November 24, 2008, plaintiff requested an extension of time to file objections, and on December 4, 2008, the Court granted plaintiff a thirty-day extension of time. (Docs. 199, 201.) More than thirty days have passed, and plaintiff has not filed objections or otherwise responded to the findings and recommendations.

1                    In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73-  
2 305, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
3 file, the court finds the findings and recommendations to be supported by the record and proper  
4 analysis.

5                    Accordingly, THE COURT HEREBY ORDERS that:

- 6                    1.        The Findings and Recommendations issued by the Magistrate Judge on  
7                                       October 30, 2008, are ADOPTED in full;
- 8                    2.        Defendant Hanse is DISMISSED from this action; and
- 9                    3.        The Clerk of Court is DIRECTED to reflect the dismissal of defendant Hanse  
10                                       from this action on the Court's docket.

11 IT IS SO ORDERED.

12 **Dated:** January 26, 2009

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE

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