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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THOMAS HIGHTOWER, CASE NO. 1:04-cv-06028-OWW-SMS (PC)

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DENYING
PLAINTIFF’S REQUEST FOR PRELIMINARY
INJUNCTION TO DIRECT ACCESS TO THE
LAW LIBRARY

v.

ARNOLD SCHWARZENEGGER, et. al.,

Defendants.

(Docs. 104, 112)

OBJECTIONS DUE IN THIRTY (30) DAYS

_____ /

Plaintiff, Thomas Hightower, a state prisoner proceeding pro se and in forma pauperis, 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 72-302.

On June 23, 2009, the Magistrate Judge filed a Findings and Recommendations herein which was served on the parties and which contained notice to the parties that any objections to the Report and Recommendation were to be filed within thirty days. On July 27, 2009, Plaintiff filed objections. Defendants have not filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendation to be supported by the record and by proper analysis.

Accordingly, the Court HEREBY ORDERS:

- 1. The Findings and Recommendation, filed June 23, 2009, is adopted in full; and

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2. Plaintiff's motion for preliminary and permanent injunctive relief, as stated in his motion filed June 2, 2009, is DENIED without prejudice.

IT IS SO ORDERED.

Dated: September 9, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE