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

PHILLIP JON ROSEMBLUM,		NO. 1:05 cv 01473 LJO GSA PC
)	
Plaintiff,)	ORDER RE: FINDINGS & RECOMMENDATIONS
)	
v.)	Document # 65
)	
C/O ELLIS, et al.,)	
)	
Defendants.)	
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Plaintiff is a state prisoner proceeding pro se in this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 16, 2010, [findings and recommendations](#) were entered, recommending dismissal of certain claims and defendants. Plaintiff was provided an opportunity to file objections within thirty days. Plaintiff has not filed objections to the findings and recommendations.

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

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on September 16,

1 2010, are adopted in full; and

2 2. This action proceeds as one for money damages on Plaintiff's first amended
3 complaint, filed July 20, 2010, against Defendant Ellis for failure to protect Plaintiff in violation
4 of the Eighth Amendment.

5 3. Plaintiff's supervisory liability claims are dismissed.

6 4. Defendants Vasquez and Robles are dismissed.

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9 IT IS SO ORDERED.

10 **Dated:** October 28, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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