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

ROBERT BENYAMINI,

1:06-cv-01096-AWI-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 80.)

vs.

MANJUANO, et al.,

ORDER DENYING DEFENDANTS'
MOTION TO DISMISS
(Doc. 68.)

Defendants.

_____ /

Robert Benyamini (“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 302.

On December 16, 2010, [findings and recommendations](#) were entered, recommending that Defendants' Motion to Dismiss, filed on June 3, 2010, be denied. The parties were provided an opportunity to file objections to the findings and recommendations within twenty days. To date, no party has filed objections or otherwise responded to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, 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 December 16, 2010, are adopted in full; and
2. Defendants' Motion to Dismiss, filed on June 3, 2010, is DENIED.

IT IS SO ORDERED.

Dated: February 9, 2011


CHIEF UNITED STATES DISTRICT JUDGE