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

CARLOS QUIROZ,

CASE NO. 1:06-cv-01426 OWW DLB PC

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND
DISMISSING DEFENDANT KAZI
FROM ACTION

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

(Doc. 24)

Defendants.

_____ /

Plaintiff Carlos Quiroz, 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 18, 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 Findings and Recommendations were to be filed within thirty days. The parties have not filed timely objections to the Findings and Recommendations.

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 Recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The [Findings and Recommendations](#), filed June 18, 2009 is adopted in full; and
2. Defendant Kazi is dismissed from this action, without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

IT IS SO ORDERED.

Dated: August 13, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE