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6 **UNITED STATES DISTRICT COURT**
78 EASTERN DISTRICT OF CALIFORNIA
910 LAWRENCE SIMMONS, CASE NO. 1:06-cv-1867-OWW-DLB PC
11 Plaintiff, ORDER ADOPTING FINDINGS AND
12 v. RECOMMENDATIONS, AND DISMISSING
13 M. KNOWLES, et al., ACTION FOR FAILURE TO STATE A CLAIM
14 Defendants. (Doc. 12)
1516 Plaintiff Lawrence Simmons (“plaintiff”) is a state prisoner proceeding pro se in this civil
17 rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.19 On October 7, 2008, the Magistrate Judge filed a [Findings and Recommendations](#) herein
20 which was served on plaintiff and which contained notice to plaintiff that any objection to the
21 Findings and Recommendations was to be filed within thirty days. After obtaining an extension of
22 time, Plaintiff filed an [Objection to the Findings and Recommendations](#) on November 21, 2008.23 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
24 de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings
25 and Recommendations to be supported by the record and by proper analysis.

26 Accordingly, IT IS HEREBY ORDERED that:

27 1. The [Findings and Recommendations](#), filed October 7, 2008, is adopted in full; and
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2. This action is dismissed in its entirety for Plaintiff's failure to state a claim upon which relief may be granted.

IT IS SO ORDERED.

Dated: January 9, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE